

G. R. S. App. F. IX-4]

Previous References.

1940 -

(cl⁵)

File No. 104-40.

Serial Nos. 1-4.

Later References.

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 4.

Part B for *Afou* 1942

SUBJECT.

Report on the Administration
of Criminal Justice in Mysore
for the year 1939-40

G.O. NO. P-5284-92 dated 18th *Afou*
1941

To -

The Registrar
High Court of Mysore.
" District Magistrates of Dist.

Records to *as per*

Ja
18.8.42

2672

Serial
No.

1 From
The Registrar High Court
No P 37 /39-40 - D 29. 10. 1940.

Forwards in duplicate the report on the
Administration of Criminal Justice in Mysore
for the year 1939-40.

Submitted with a draft.

Con
1/11
2/11

Impressed upon

(as Secretary)

3
1/11

~~XXXXXXXXXX~~

Hm
5/11/40

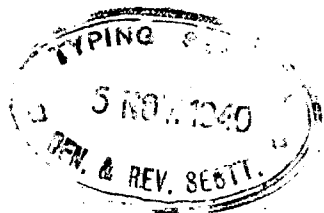
Im 3
5/11

70

2 The Superintendent Govt printing
No 2285 D 7. 11. 40

Forwards the copy of the report on the
Administration of the Criminal Justice
in the State for the year 1939-40

Sus A



Criminal
Report on the Admin. of Justice
for 1939-40

267

File No.

of 194

General and Revenue
Secretariat

Serial
No.

The following Statements were received today from the High Court informally:-

Has R

- (1) Statement NO 1.
- (2) do - NO 2
- (3) Special Statement relating to Special and Local Laws
- (4) Judicial Statement NO 3

A draft of a letter to the Lipda Govt. printing

is put up
To the Superintendent Govt. printing
NO P 4345 of 20.2.1941

3

Forwards a copy each of certain Statistical Statements on the administration of Criminal Justice in Mysore for 1939-40 for setting them in type.

The Statements including those received in this office from the High Court on 19.2.1941 have been Verified.

R

A draft of a review is submitted herewith

may be approved
Law Society) 3
27/2/41

I Member)

Has
3/3/41

3
3/3/41

GOLF
27/2

MAR 3 1941	
87.19	

Review on the report on the 2672 administration of
criminal Justice for 1939-40

General and Revenue
Secretariat

File No. 104 of 1940.

[App. F. III-2]

Serial
No.

The draft review is approved.
(After issue, a note may be separately
put up showing the number of criminal appeals
filed before Sessions Judges & Magistrates, respectively,
prior to the introduction of the separation
scheme and how they compare with similar
figures during the past 3 years.)

new
5/3/41

3
6/3/41

It is submitted that this appears to be
a Council Matter.

cm
9/3
mm

may be disposed of (circulation
bureau)

3
7/3/41

new
10/3/41

Chief Secretary)

3
12/3/41

Submitted with a
circulation Memo

Pa
12/3/41

Signed

M/S
12/3

For Disposal by Circulation.

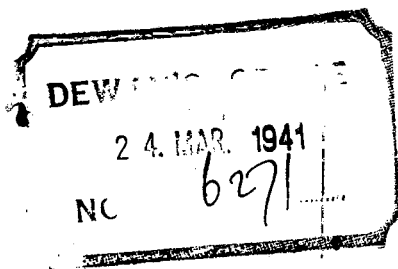
2672
No. C. 465 of 1940-41

193

GENERAL AND REVENUE SECRETARIAT

Council Matter.

Subject



Report on the administration of Criminal Justice in
Mysore for the year 1939-40 with Government draft review thereon.

Circulated to the Members of Council.

By Order,

Musammat

12th March 1941.

Chief Secretary to Government.

$\frac{10,092}{19.3.41}$ First Member of Council. (seen)

$\frac{8908}{14.3.41}$ Second Member of Council.

Relly 14.3

Law Secy. with Compliments.

MB
 $\frac{14.3.41}{15.3.41}$

Hm
 $\frac{2}{15.3.41}$

m
 $\frac{15.3.41}{15.3.41}$

mbd with a D.F.N

can
 $\frac{1873}{18/3/41}$
 $\frac{9517}{18/3/41}$
Law Secretary
I Member
7.7. Signed by Member
CEG

S. N. put up.

DEWAN)

Final Note by the First Member of Council.

Subject. —

Report on the Administration of Criminal
Justice in Mysore for the year 1939-40.

I beg to submit for the gracious perusal of
His Highness the report on the Administration of Criminal
Justice in the State for the year 1939-40 together with the
draft Government review thereon.



MEMBER OF COUNCIL.

B a n g a l o r e ,

Dated 21st March 1941.

Submitted to His Highness.

I submit herewith a Final Note by the FIRST
Member of Council on the Subject of the report on the
Administration of Criminal Justice in Mysore for the year 1939-
40,
for His Highness' gracious ~~approval~~ perusal.

Bangalore,
24th March 1941.

Mirza N. Ismail
Dewan.

Record of Cases submitted for the Orders of
His Highness the Maharaja.



Subject.

Report on the administration
of Criminal Justice in Mysore for the
year 1939-40.

Chief Secy
ms
28-3-41

Order.

JRN.
25/3/41.

no. 612.

ms
29.3.41

2572
2425

SUBJECT:—

Report on the administration of
criminal justice in Mysore for the year
1939-40.

(*)

31. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at Headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Members of Council for perusal of His Highness' orders before/~~after~~ issue of orders. (Vide Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.) (*)

M. S. S. S.

Chief Secretary to Government.

Through the Secretary to Government,

Law Department.

Hm
2
29/3/41

FIRST MEMBER OF COUNCIL.

Hm
29/3/41

SECOND MEMBER OF COUNCIL.

Law Secy. with Compliments

M.S.
1.4.41

3
24/41
Hm
2
24/41

Review on the Report on the administration
of Criminal Justice for 1939-40 2672

General and Revenue
Secretariat

File No. 104 of 1940.

[App. F. III-2]

Serial
No.

Subd

The typed copy of the approved draft
of the Review, ^{appended to F.D.F.M.} contains some pencil corrections.

It is for orders as to ~~whether~~ which of the two
drafts may issue.

can
3/4

The typed Draft has
some corrections in pencil. The corrections
are not finalised. Hence it is for orders
of the approved draft (~~typed~~ approved by
I Member) be issued, or the ~~corrected~~
typed draft ~~be~~ be issued.

Law Secretary

3
3/4/41

6824
3/4

The corrected typed draft may
perhaps be ~~at~~ issued

I Member)

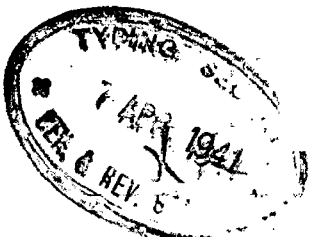
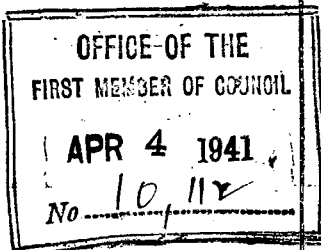
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3/4/41.

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Hm
3/4/41

Hm
2
3/4/41.

Jm
3
3/4



App. F VI G 10.

Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE DEPARTMENTS



Criminal Justice
Reviews the report on the administration of — in
the State for the year 1939-40.

G. O. No. P 5284-92/cts 104-40-4 DATED 18th April 1941

May this be

- i. printed ? *yes*
- ii. treated as a standing order ? *No*
- iii. published in the Gazette English Part ? *yes*
- iv. translated ? *yes*
- v. placed at the disposal of the press ? *yes*
- iv. published in the Gazette Kannada Part ? *yes*

for approval

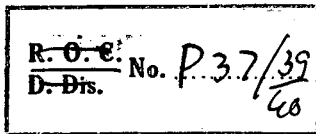
approved

3
21/9/

held
C/S
21/9

CH. 104-40-1

2672-34



Enc. Report in triplicate
x 9 statements in
duplicate.

HIGH COURT OF MYSORE,
Public Office Buildings, Cubbon Park,

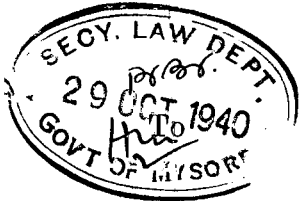
Bangalore, 28th October 1940

29

FROM

T. Shamiengar, Esq., B.A., B.L.,
~~A. Sundararaja Rao, Esq., B.A., B.L.,~~
S. Venkata Ranga Iyengar, Esq., B.A., LL.M.,

Registrar, High Court of Mysore.



3
29/10/40

H.V. Narayana Rao, Esq., B.A., LL.B.,
Secretary to Government,
Law Department, Bangalore.

SIR,

I am directed to enclose herein, in triplicate, the report
on the Administration of Criminal Justice in Mysore for the year 1939-40
with the usual statistical statements in duplicate.

I have the honour to be,

Sir,

Your most obedient servant,

T. Shamiengar
Registrar.
A

VJC/2

G. R. S. App. F. G. 3.

GENERAL AND REVENUE
SECRETARIAT.

(Continuation sheet draft form).

To

The Superintendent
Govt printing
Bangalore.

Sir

I am directed to
forward herewith one
copy of the Report on
the Administration of
Criminal Justice in
Mysore for the year 1939-40
together with the connected
Statistical Statements and
to request that the
same may be set in
type and two clean
proofs sent to the
Registrar - High Court of
Mysore.

The Report and the

Statistical Statements after
being printed may kindly
be bound along with the
Govt Review thereon which
will issue in due course.

I have etc

H²
574140.
In Secy to Govt
Law Dept

Ch 100-40-2
GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat.

Dated, Bangalore 25 November 1940.

No. 102285
Sub-Report & Stats.

FROM

The Secretary to the Government of His Highness the Maharaja of Mysore.
Law Department

To

The Superintendent,
Government Printing,
Bangalore.

Sir,

I am directed to forward herewith one copy of the Report on the Administration of Criminal Justice in Mysore for the year 1939-40 together with the connected statistical statements and to request that the same may be set in type and two clean proofs sent, to the Registrar High Court of Mysore.

The report and the statistical statements after being printed may kindly be bound along with the Government Review thereon which will issue in due course.

I have the honour to be,

Sir,

Your most obedient servant,

M Secretary to Government
Law Department
Ch

NDA.2

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore, *22/2* February 1941.

No. *P4345*

Succ. State.

Ch 104-40-

3

From

The ~~Chief~~ Secretary to the Government of His Highness
the Maharaja of Mysore.
Law Department.

To

The Superintendent,
Government Printing,
Bangalore.

Sir,

In continuation of this office letter No. P. 2285/Cts.104-40-2
dated 7th November 1940, I am directed to forward herewith a copy of
each of the marginally noted statements relating to the Administration

1. Judicial statement No. 1) Criminal. (of Criminal Justice in the
2. Judicial statement No. 2 ()
3. Judicial Statement No. 3 () (State for the year 1939-40 and
4. Special statement relating to -do-)
Special and Local laws . . . (to request that the same may be

set in type and two clean proofs thereof sent to the Registrar, High
Court of Mysore.

The Government review thereon will issue in due course.

I have the honor to be,
Sir,
Your most obedient servant,

h

For Secretary to Government,
Law Department.

Ch

G. R. S. App. F. G. 3.

GENERAL AND REVENUE
SECRETARIAT.

(Continuation sheet draft form.)

CS 104-40-3

To

The Suptt Govt printing
Bangalore

Sir

In continuation of this
Office letter No P 2285/cts
104-40-2 of 7. 11. 1940
I am directed to
forward herewith a
copy each of the
marginally noted Statements
relating to the administration
of Criminal Justice in
the State for the year 1939-40
and to request that the
same may be set in type
and two clean proofs
thereof sent to the Rev.
High Court of Mysore.

The Govt review thereon
will issue in due course

I have etc

In Secy to Govt
Law Dept

Report on the Administration of
Criminal Justice in Mysore for the year 1939-40.

PART I.

HIGH COURT.

(1) Personnel :-

(i) Sir D'Arcy Reilly, Chief Justice, was on leave from the beginning of the year to 16th November 1940. Mr. Justice Abdul Ghani officiated as Chief Justice during the period, and Mr. S. Venkata Ranga Iyengar, District Judge, acted as a Puisne Judge of the High Court.

(ii) Mr. Justice Nagesvara Iyer was on privilege leave from 13th November 1939 to 22nd December 1939, and Mr. S. Venkata Ranga Iyengar continued to act as a Puisne Judge of the High Court in his place.

(iii) Mr. Justice Nagesvara Iyer was engaged on special duty outside the Court from 16th January 1940 to 25th February 1940, and Mr. S. Venkata Ranga Iyengar again acted as a Puisne Judge of the High Court in his place from 16th January 1940 to 14th February 1940.

(iv) The Office of temporary Fourth Judge of the High Court, held by Mr. Justice Singaravelu Mudaliar, was extended by a year from 2nd January 1940 and was afterwards made permanent from that date, Mr. Justice Singaravelu Mudaliar being confirmed in the appointment.

(v) Two additional Judges were added to the Court for two years from 15th February 1940 in consequence of an increase in civil work. Mr. S. Venkata Ranga Iyengar and Mr. C. Subrahmanya Aiyar, District Judges, were appointed to the posts from that date.

2. Appeals.

(i) Institutions :-

The number of appeals filed during the year was 74 against 39 in the previous year and 42 in 1937-38. Two appeals (against 5 in the previous year) were preferred by the Government against orders of acquittal.

(ii) Disposals :-

One appeal remained from the previous year, and the total number of appeals for disposal was ~~74~~ 75, involving 99 persons, against 39 appeals, involving 51 persons, in the previous year. All the 75 appeals were disposed of in the year. The 2 appeals against acquittals were dismissed. In 45 of the remaining appeals the convictions and sentences were confirmed; in 10 appeals, concerning 11 persons, the sentences were reduced or altered; and in 18 appeals, concerning 26 persons, the convictions were set aside and the appellants acquitted.

(iii) Pendency :-

No appeal was left pending at the end of the year.

(iv) Average duration :-

The average duration of the appeals disposed of during the year was 28.4 days against 26.44 days in the previous year, 29.51 days in 1937-38 and 37.48 days in the year 1936-37.

3. References under Section 374, Code of Criminal Procedure.

Four cases, involving 4 persons, came up for confirmation of sentences of death during the year. The sentences were reduced to transportation for life in 2 cases; in 1 case the sentence of death was confirmed; and in 1 case the conviction was set aside, and the ~~the~~ accused was acquitted. No case was left pending.

4. References under Section 307, Code of Criminal Procedure.

No case under this provision of law was pending at the beginning of the year. One case, involving 9 persons, was referred to the High Court during the year. In that case the verdict of the Jury was not accepted, and the Accused were acquitted.

5. Miscellaneous Appeals.

No Miscellaneous Appeal was pending at the end of 1938-39, nor was any filed during 1939-40.

6. Revision.

The number of copies of judgments and orders of lower Courts received in the High Court during the year under report was 1,282 against 1,165 in the previous year. They were

scrutinised, and proceedings were issued whenever necessary.

(ii) The number of cases referred to the High Court by Sessions Judges and District Magistrates for revision or taken up by the High Court suo motu was 58, involving 105 persons; and, including 5 cases, involving 9 persons, which were pending from the previous year, the total number for disposal was 64 cases, relating to 115 persons. Of these 63 cases, relating to 114 persons, were disposed of, and 1 case, involving 1 person, was pending at the end of the year.

(iii) Revision Petitions :-

The number of petitions for revision received during the year was 328, involving 564 persons, against 298, involving 407 persons, in the previous year. At the beginning of the year 81 petitions, involving 140 persons, were pending. The number of petitions disposed of was 399, involving 683 persons, against 300, involving 425 persons, in the year 1938-39. Only 10 petitions, involving 21 persons, were left pending at the end of the year, a smaller number than in any previous year. The oldest petition left pending had been received 16 days before the close of the year. The decisions of the lower Courts were reversed in 77 cases and altered in 21 cases. Retrial or further inquiry was ordered in 16 cases, and proceedings were quashed in 1 case. 229 petitions were rejected without notice to the other side, and 55

5.

were dismissed after notice. It will be seen that over 71.1 per cent of the petitions were unsuccessful against 66 per cent in the previous year. What is more remarkable is that more than half the petitions received were groundless or were really attempts to get an appeal where the law allows none.

7. Other Petitions.

Including 1 petition pending at the end of the year 1938-39, there were for disposal 127 petitions, of which 123 were disposed of, leaving 4 pending at the end of the year.

8. Cases under the Contempt
of Courts' Act.

No case was pending at the end of the previous year. Two cases, involving 3 persons, were filed during the year, but both of them were dismissed.

9. General view of work of
the High Court on the
Criminal Side.

The

The table below shows the work

of the High Court on the Criminal

Side as compared with that of the

previous year.

YEAR.			
1938-39	39	Appeals	For disposal
2		Cases under Sn.374,Cr.P.C.	
1		References under Sn.307,Code of Criminal Procedure.	
-		Miscellaneous Appeals	
60		Revision Cases	
381		Revision Petitions	
408		Other Petitions	
1		Cases under Contempt of Courts' Act	Disposed of
592		TOTAL	
38		Appeals	
2		Cases under Sn.374,Code of Crl.Procedure	
1		References under Section 307,Code of Crl. Procedure.	
-		Miscellaneous Appeals	
55		Revision Cases	
300		Revision Petitions	Pending
107		Other Petitions	
1		Cases under Contempt of Courts' Act	
504		TOTAL	
1		Appeals	
-		Cases under Section 374,Code of Cr.P.	
-		References under Sn.307,Code of Cr.P.	
-		Miscellaneous Appeals	
5		Revision Cases	
81		Revision Petitions	
1		Other Petitions	
-		Cases under Contempt of Courts' Act	
88		TOTAL	
1939-40	75	Appeals	
4		Cases under Sn.374,Cr.P.C.	
1		References under Sn.307,Code of Criminal Procedure.	
-		Miscellaneous Appeals	
64		Revision Cases	
409		Revision Petitions	
127		Other Petitions	
2		Cases under Contempt of Courts' Act	
681		TOTAL	
75		Appeals	
4		Cases under Sn.374,Code of Crl.Procedure	
1		References under Section 307,Code of Crl. Procedure.	
-		Miscellaneous Appeals	
63		Revision Cases	
399		Revision Petitions	
123		Other Petitions	
2		Cases under Contempt of Courts' Act	
667		TOTAL	
-		Appeals	
-		Cases under Section 374,Code of Cr.P.	
-		References under Sn.307,Code of Cr.P.	
-		Miscellaneous Appeals	
1		Revision Cases	
10		Revision Petitions	
4		Other Petitions	
-		Cases under Contempt of Courts' Act	
15		TOTAL	

7.

Though there was an increase of criminal work, more was disposed of..and the cases left unfinished at the end of the year were less than ever before.

P A R T II.Courts subordinate to the High Court.1. Number of Courts:

(a) Excluding Revenue Officers who were ex officio Magistrates, the number of Judges and Magistrates exercising original jurisdiction at the end of the year under report was 72 against 69 at the end of the previous year, namely:

5 Sessions Judges (including Additional Sessions Judges at Bangalore and Shimoga),

4 Assistant Sessions Judges (including an Additional Assistant Sessions Judge at Mysore),

9 District Magistrates,

29 Special Magistrates (including the Second City Magistrates of Bangalore and Mysore and the Sub-Division Officer, Saklespur),

4 Munsiff-Magistrates (at Doddaballapur, Hole-Narsipur, Hunsur and Kolar Gold Fields),

14 Benches of Magistrates and

7 Justices of the Peace.

72

(b) The appointment of a temporary Additional District and Sessions Judge for the Bangalore Division was continued for a further period of a year from 3rd April 1940.

(c) An Additional District and

Sessions Judge was appointed to the Shimoga Division for a period of six months from 1st August 1939, and the term of the appointment was extended up to 31st March 1940 in the first instance and afterwards to 30th September 1940.

(d) The term of the temporary Second City Magistrate of Bangalore was further extended for a period of a year from 2nd January 1940.

(e) The Second City Magistrate's Court at Mysore was continued for another year from 1st September 1939.

(f) A Bench of Honorary Magistrates was established at Magadi from 1st March 1940 with jurisdiction over the whole of Magadi Taluk in respect of third class cases.

(g) The District of Mysore was divided into two Districts, Mysore and Mandya, from 1st July 1939. From that date the jurisdiction of the District and Sessions Judge of the Mysore Division comprised the Revenue Districts of Mysore, Hassan and Mandya. From 1st October 1939 the Sessions Judge of Mysore was directed to hold his Court at Mandya for the trial of Sessions Cases arising within the Mandya District, and it was ordered that all such cases should be tried with the aid of Assessors.

(h) There was no change in the itineration of Magistrates during the year, except that the Munsiff-Magistrate of Hole-Narsipur held his Court at Sravana-belagola for 3 weeks from 10th February 1940 in connection with the Mahamastakabhisheka celebration of Sri Gomateswaraswami at that place.

(i) Justices of the Peace:-

Sir Charles Todhunter, Private Secretary to His Highness the Maharaja of Mysore, Mr. E. G. Mc Alpine, Director of Public Instruction in Mysore, Mr. J. C. Rollo, Principal of the Maharaja's College at Mysore, Mr. A. B. Mackintosh, Principal of the Central College at Bangalore, Sir Mortin Forster, Mr. D. H. Elwin, I.C.S., and Mr. C. E. Lloyd Worth continued to be Justices of the Peace during the year.

(j) The system of giving magisterial work to Munsiffs and Civil Work to Magistrates in addition to their usual civil and criminal work respectively was continued in certain places. The First Magistrate of Shimoga was appointed Additional Munsiff of the Munsiff's Court at Shimoga from 2nd January 1940. The Munsiffs of Hole-Narsipur and Hunsur continued to be the Second Class Magistrates and the Munsiff of Dodballapur to be a First Class Magistrate. Similarly the

Munsiff of Kolar Gold Fields continued to be a Second Class Magistrate for the trial of sanitation cases in the ^{Gold} Fields Sanitary Board area. The Second Magistrates at Kolar and Tumkur continued to be Additional Munsiffs of the Courts of the Munsiff of Kolar and the First Munsiff of Tumkur respectively; but it was not necessary for the Second Magistrate of Kolar to undertake any civil work during the year. First Class Magistrates of the status of subordinate Judges continued to work also as Additional Subordinate Judges, those stationed at Chickmagalur, Chitaldrug, Hassan and Kolar hearing both Original Suits and Civil Appeals of their Districts and the First Magistrate of Tumkur hearing only Civil Appeals from the decisions of the Munsiffs in the Tumkur District.

2. Receipts and Charges:-

The receipts of Criminal Courts other than the High Court amounted to Rs.91,945-1-6 against Rs.86,879-3-7 in the previous year, and the charges to Rs.2,02,376-13-5 against Rs.2,06,020-2-6. The increase in receipts by Rs.5,065-13-11 was mainly due to an increase in fines realised (Rs.64,896-6-8 against Rs.60-612-10-1).

3. Offences reported.

The total number of offences reported was 36,230 against 33,653 in the

previous year, showing an increase of 2,577; and there was a corresponding increase in the number of cases "returned as true," viz., 35,244 against 32,395. The proportion of cases "returned as true" was 97.2 against 96.2 per cent in the previous year; but as in previous years it must not be supposed that anything like so large a proportion of cases before the Courts were really true.

4. Persons brought to trial.-

Including 6682 persons awaiting trial at the close of the previous year, the total number of persons brought to trial in Magistrates' Courts was 53,877 (excluding 426 persons committed to Sessions during the year) against 49,477 in the previous year. Of the persons brought to trial the cases in respect of 48,277 against 42,795 in the previous year were disposed of, the percentage being 89.6 against 86.4 and representing a considerable improvement. The total number of persons convicted was 27,525 and of those acquitted or discharged 19,395. The proportion of persons convicted to those acquitted or discharged was 58.6 to 41.3 against 57.2 to 42.7 in the previous year. The number of persons whose cases were left pending at the end of the year was 5,600 against

6,682 at the end of the previous year.

5. Offences under the Penal Code.

(i) Affecting the Human

The number of persons tried for offences under this head was ^{9,209}~~9,206~~ (against 9,729 in the previous year) or 17.08 per cent of the total number of persons brought to trial (against 19.6 per cent in the previous year). The cases concerning ⁷⁶⁶⁶~~7668~~ persons (against 7620 in the previous year) were disposed of, 451 or 5.8 per cent (against 455 or 5.9 per cent) being convicted. The largest proportion of persons, 8,100 (4,425 + 3,675) or 87.9 per cent (against 8,890 or 91.3 per cent) were, as usual, concerned in offences of hurt and assault.

(ii) Affecting property:-

The number of persons dealt with under this head was ^{10,097}~~10,101~~ or 18.7 per cent of the total number of persons brought to trial (against 9,053 or 18.2 per cent in the previous year). The cases of ⁸³⁰⁸~~8,322~~ persons were disposed of, the percentage of convictions being 30.3 against 29.8 in the previous year. Of the total number of persons brought to trial under this head 55.1 per cent were dealt with for offences of theft and 25.9 per cent for trespass, against 55.05 per cent and 24.8 per cent

respectively in the previous year.

6. Offences punishable under Special and Local Laws.

The number of persons brought to trial under this head was 27,799 or 51.59 per cent of the total number of persons brought to trial against 25,016 or 50.05 per cent in the previous year. The cases against 26,623 persons were disposed of, 22,643 or 85.05 per cent being convicted against 85.1 per cent in the previous year.

Details of offences under Special and Local Laws have been given with figures under each law separately in the statement appended to this report.

7. Heinous Offences punishable under the Indian Penal Code.

Information regarding these offences is embodied in Statement "A" annexed.

Compared with the previous year's figures there was an increase in offence of giving false evidence (34 against 31) murder (60 against 46), rape (8 against 5), theft (1987 against 1910), cattle theft (121 against 118), robbery (40 against 25) and receiving stolen property (32 against 19), while there was a fall in offences of culpable homicide not amounting to murder (9 against 10), grievous hurt (359 against 501) and dacoity (1 against 7).

8. General results of Magisterial work.-

(Vide Statement No. 4 as regards persons and Statement No. 'B' as regards cases).

(a) Work done:-

The number of persons dealt with by Magistrates was 53,877 (excluding 426 persons committed to sessions) against 49,477, an increase of 4,400 persons. There was also a corresponding increase in the number of cases, namely 35,642 against 32,737 in 1938-39.

(i) District Magistrates' Courts:-

Thirty one cases regarding 47 persons (against 20 cases regarding 31 persons in the previous year) were before District Magistrates. None of these cases was left pending at the end of the year.

(ii) Stipendiary Magistrates' Courts:-

By Stipendiary Magistrates other than District Magistrates 30,518 cases regarding 44,801 persons were disposed of against 26,405 cases regarding 38,645 persons in the previous year. The number of cases left pending was 2,249 against 2,505 in the previous year.

(iii) Benches of Honorary Magistrates:-

Benches of Honorary Magistrates had before them 2,844 cases regarding 4,431 persons against 3,807 cases regarding 5,234 persons in the previous year; and they disposed of 2,590 cases regarding 3,855 against 3,426 regarding 4,410 persons in the previous year. The number of cases left pending was 254 against 381 in the previous year.

(b) Pendency:-

It is satisfactory that in spite of an increase in work to be done there was a decrease in the total number of cases and of persons awaiting trial at the end of the year, the respective numbers being 2503 and 5600 against 2886 and 6682 in the previous year.

(c) Average duration:-

In the Courts of the District Magistrates the average duration of trials was 31.6 days against 26.6 in 1938-39 and 50.6 days in 1937-38. In the Courts of other Stipendiary Magistrates it was 37.7 days against 40.4 days in 1938-39 and 52.1 days in 1937-38; and in the Bench Magistrates' Courts it was 42.2 days against 36.8 days in 1938-39 and 40.8 days in 1937-38. The continued improvement in the Courts of Stipendiary Magistrates other than District Magistrates, who do much the greater part of the magisterial work in the State, 1

satisfactory.

(d) Cases over 6 months old:-

The number of regular cases over 6 months old left pending at the end of the year was 112 against 336 at the end of the previous year. This reduction by 224 cases or 66 per cent shows that at least there has been a considerable improvement in the matter, which has been one of the chief blots on the work of the Magistrates for several years. Of the 112 cases more than 6 months old 40 were in the Bangalore District, 25 in the Shimoga District, 16 in the Mandya District and 12 in Hassan District. The Chitaldrug District provided the lowest number (1) as in the previous year. Although in the Bangalore District there was a great reduction-- from 201 to 40 cases-- that district retained its unenviable pre-eminence in this matter. The total number of such cases pending in the Courts of the Special Magistrates was 71, in the Courts of Ex-officio Magistrates 10 and before Benches of Honorary Magistrates 31. The worst Court in this respect was that of the Second Magistrate of Shimoga with 18 cases. Next came the Bench Magistrates' Court at Bangalore with 10, the Special Magistrate's Court at Mandya with 9, the City Magistrate's Court at Bangalore and the Bench Magistrates' Court at Devanahalli each with 8 and the Treasury Assistant Commissioner

and Ex-officio Magistrate at Mandya with 7. It is very unsatisfactory that two of the worst Courts were Courts of Honorary Bench Magistrates, who try cases of comparatively little importance. In recent years it has unfortunately been necessary to abolish several Benches of Honorary Magistrates because they could not be induced to do their work properly; and of the small number of such Courts which remain few attend to their duties in a business-like way. If the Treasury Assistant Commissioner at Mandya or any other Ex-officio Magistrate really cannot find time to try a few cases, District Magistrates should not transfer such work to them. Of the 30 Special Magistrates and Munsiff-Magistrates' Courts 14 Courts were free of such cases. The improvement in this matter is no doubt due to more vigorous supervision by District Magistrates, which it is satisfactory to record. But no District Magistrate should be satisfied until he is sure that no case is before a Magistrate in his district so long as 6 months save for some quite exceptional reason entirely beyond the Magistrate's control.

9. Miscellaneous Proceedings in the Courts of the Magistrates.

(a) The total number of miscellaneous proceedings before Magistrates was 1138, concerning 2306 persons, against 1032,

concerning 2413 persons in the previous year. The largest number of cases related, as before, to disputes regarding immoveable property (Chapter XII, Code of Criminal Procedure), namely 266 cases, concerning 955 persons, against 274 cases, concerning 1233 persons, in the previous year

(b) Average duration:-

Out of 1138 Miscellaneous Cases for disposal 1015 cases (as against 878 cases were disposed of, leaving 123 cases (as against 154) pending. The average duration was 68.07 days against 82.2 days in 1938-39.

(c) Possession and Security Cases:-

(1) Possession Cases:

The number of cases pending at the beginning of the year was 87. The number of cases instituted was 179 (120 by private parties and 59 by the Police,) making a total of 266 cases for disposal. Of these 206 cases were disposed of, leaving 60 pending at the end of the year. The average duration in respect of possession cases disposed of was 135.5 days as against 112.4 days in the previous year. Notwithstanding a reduction in the number of cases instituted by private parties, from 138 to 120, the number still remains high, and Magistrates must be on their guard against entertaining

cases of this nature, which parties wish to launch merely as the first move in a civil dispute. There was great variation in the number of such cases brought by private parties in different districts. In the Chitaldrug District it was 35, and in the Tumkur District 32; in the Kadur District it was only 5, and in the Shimoga District only 3: in the Hassan and Mandya Districts there was no such case. An evil fashion in this matter appears to persist in the Tumkur District.

(ii) Security for keeping the Peace:

The number of cases pending at the beginning of the year was 10. The number of cases instituted during the year was 63 (29 by private parties and 34 by the Police), making a total of 73 cases for disposal. Of them 52 cases were disposed of, leaving 21 pending at the end of the year. The average duration of cases disposed of was 93.9 days against 86.9 days during the previous year.

(iii) Security for good behaviour:-

The number of cases pending at the beginning of the year was 10. The number of cases instituted during the year was 100 (all by the Police), making a total of 110 cases for disposal. Of them 95 cases were disposed of, leaving 15 pending at the end of the year. The average duration of cases disposed of was 44.5 days against 76.6 in the previous year.

(iv) Cases over six months old:-

In this class of cases also there was a reduction in the number which were 6 months old at the end of the year but still unfinished. In the previous year it was 29. In the year under report it was 18. In the Bangalore District 8 such cases were pending, in the Tumkur District 4 and in the Kadur District 3. The Districts of Mysore and Shimoga were clear of such cases. The improvement in the Mysore District, which was worst in this respect in the previous year, is to be commended.

10. Examination of witnesses:-

In Magistrates' Courts 69,338 witnesses appeared during the year (in both Regular and Miscellaneous cases), the number of those examined being 56,189 (81.03 per cent against 55,878 (81.3 per cent) in the previous year. The amount of travelling allowance and batta paid to witnesses was Rs.2,543-10-6 against Rs.1,833-9-7 in the previous year. It is reported that no witness was detained more than 3 days in any Magistrate's Court. But this does not mean that many witnesses were not put to the inconvenience of attending on more than 3 occasions.

11. Juvenile Offenders:-

From the statement appended to this report it will be seen that the number of Juvenile Offenders brought before

Magistrates' Courts was 357 against 271 in the previous year. Out of the total 118 were in the Bangalore District and 113 in the Mysore District. In the Chitaldrug District again there was no Juvenile for trial. The number of Juvenile Offenders convicted was 302 against 226 in the previous year. Of those convicted 105 were dealt with under the provisions of Section 562 of the Code of Criminal Procedure (against 106 in the previous year), and 66 were fined. The number imprisoned was 89 against 63 in the previous year, which itself was too many, and the number whipped was 42 against 12.

12. Sessions work:-

(Vide statement No.4.)

(i) There were 19 Sessions Cases, involving 58 persons, left over from the previous year, and 161 cases, involving 448 persons, were received during the year, making a total of 180 cases, involving 506 persons, for trial against 128 cases, involving 311 persons, in the previous year. The disposals in the Bangalore, Mysore and Shimoga Divisions were respectively 69, 39 and 37 cases against 59, 24 and 24 cases, as shown in the statement given below:-

- C O U R T S -	Opening Balance		F i l e d		Total for Disposal		Disposed of		P e n d i n g		- R E M A R K S -
	Cases	persons	Cases	Persons	Cases	persons	Cases	Persons	Cases	Persons	
1. <u>BANGALORE DIVISION:</u>											
Sessions Judge and Additional Sessions Judge	11	23	66	163	77	186	65	151	12	35	
Assistant Sessions Judge	2	2	4	6	6	8	4	4	2	4	
TOTAL ..	13	25	70	169	83	194	69	155	14	39	
2. <u>MYSORE DIVISION:</u>											
Sessions Judge ..	1	3	45	164	46	167	30	101	16	66	
Assistant Sessions Judge	4	7	6	21	10	28	9	17	1	11	
TOTAL ..	5	10	51	185	56	195	39	118	17	77	
3. <u>SHIMOGA DIVISION:</u>											
Sessions Judge and Additional Sessions Judge			33	72	33	72	30	65	3	7	
Assistant Sessions Judge	1	23	7	22	8	45	7	43	1	2	
TOTAL..	1	23	40	94	41	117	37	108	4	9	
GRAND TOTAL ..	19	58	161	448	180	506	145	381	35	125	

The total number of cases disposed of was 145 against 107 in the previous year, a - considerable increase of work though the number cannot be regarded as heavy for the Judges engaged on it. The total number of cases left pending at the end of the year was 35 against 19 in the - previous year. This unfortunate increase occurred mainly in the Mysore Division, where the Sessions Judge did not keep pace with his work.

(ii) TRIAL BY JURY:-

(Vide Statement No.13)

--

The number of cases tried by Jury was 22 against 11 in the previous year. The Judge accepted the Jury's verdict in 20 cases.

(iii) TRIAL WITH THE AID OF ASSESSORS:-

(Vide Statement No.13)

--

The number of cases tried with the aid of Assessors was 88 against 71 in the previous year. The Judge agreed with all the Assessors in 53 cases and differed from one or more of them in the other cases.

(iv) WITNESSES EXAMINED:-

The total number of witnesses examined in Sessions trials was 1,974 against 1,699 in the previous year, 795 (against 739) in the Bangalore Division, 606 (against 393) in the Mysore Division and 573 (against 567) in the Shimoga Division. The total amount of batta and travelling allowance paid to witnesses in Sessions Courts was -

B.3600-2-9 against 3431-9-0 in the previous year.

(v) AVERAGE DURATION:-

The average duration of Sessions Cases was 58.19 days against 51 days in the previous year and 43.3 days in 1937-38. The average duration in the Bangalore, Mysore and Shinoga Divisions was respectively 53.9 (against 48.9), 82.9 (against 56.6) and 39.9 (against 50.5) days. The increased delay in the Mysore Division was particularly unfortunate.

13. TRIAL OF EUROPEAN BRITISH SUBJECTS:-

The number of cases pending before a Justice of the Peace at the beginning of the year was 2, both on the file of Mr. A.B. Mackintosh. Three cases were instituted before him during the year, making 5 for disposal. No cases was left pending at the end of the year.

14. A P P E A L S:-

(Vide Statement No.6)

--

The appellate Courts subordinate to the High Court had to deal with 754 regular appeals, preferred by 1123 persons, against 742 appeals, preferred by 991 persons, in the previous year. Of these 214 appeals, preferred by 385 persons (against 198 appeals of 267 persons) were before Magistrates, and 540 appeals, preferred by 738 persons (against 544 appeals of 724 persons) were before Sessions Judges. The

number



number of appeals disposed by Magistrates was 204, relating to 372 persons (against 183 relating to 238 persons) leaving to 19 appeals, relating to 13 persons, (against 15 appeals of 29 persons) pending at the end of the year. In the Sessions Courts the number of appeals pending at the beginning of the year was 55; the number received during the year was 485; the number disposed of was 480; and the number left pending was 60. The appellate work of the Sessions Judges continued as usual to be very heavy. In the Bangalore Sessions Court 253 appeals were filed in the year, and 26 were pending at the beginning of the year; 266 appeals were disposed of (against 234) and 13 only ~~were disposed of (against 234) and 13~~ only were left pending. In the Mysore Sessions Court 157 appeals were received, and 28 were pending at the beginning of the year; 142 were disposed of (against 201) and 43 were left pending. In the Shimoga Sessions Court 75 appeals were received, and 1 was pending at the beginning of the year; 72 were disposed and 4 left pending. Appellate work was satisfactorily up-to-date except in the Mysore Sessions Court, where the Sessions Judge with less to do than in the previous

year

year allowed it to fall into arrears. The details are given in the Statement below:-

COURTS.	For disposal		Disposed of		Pending		Remarks.
	Cases	Persons	Cases	Persons	Cases	Persons	
<u>SESSIONS COURTS:</u>							
Bangalore Dn.	279	379	266	365	13	14	
Mysore Dn.	185	264	142	193	43	71	
Shimoga Dn.	76	95	72	86	4	9	
TOTAL.	540	738	480	644	60	94	
<u>DISTRICT MAGIS- TRATES AND OTHER MAGIS- TRATES: -</u>							
Bangalore Dt.	30	63	28	61	2	2	
Kolar Dt.	40	61	38	59	2	2	
Tumkur Dt.	45	100	44	99	1	1	
Mysore Dt.	5	5	4	4	1	1	
Mandya Dt.	-	-	-	-	-	-	
Hassan Dt.	23	34	22	31	1	3	
Shimoga Dt.	51	88	51	88	-	-	
Kadur Dt.	9	16	7	13	2	3	
Chitaldrug Dt.	11	18	10	17	1	1	
Total	214	385	204	372	10	13	
GRAND TOTAL	754	1123	684	1016	70	107	

(11) AVERAGE

(ii) AVERAGE DURATION:

The average duration of appeals disposed of by Sessions Judges was 36.04 against 41.1 days in the previous year. In the Bangalore Sessions Court the average was 19.54 days (against 16.2 in 1938-39, 36.4 in 1937-38 and 125.5 in 1936-37). In the Mysore Sessions Court it was 75.8 days (against 75.8 in the previous year); and in the Shimoga Sessions Court it was 18.6 days (against 20.12 days). The average duration of appeals disposed of in the Magistrates' Courts was 31.16 days (against 30.3 days in the previous year and 30.9 days in 1937-38). Except in the Mysore Sessions Court these figures may be regarded as satisfactory.

15. Revision:- (Vide Statement No.6 and
Special Statement No.2)

(i) The number of Revision Petitions pending before Sessions Judges and District Magistrates at the beginning of the year was 14 and 17 respectively. The number received during the year was 206 (88 in Sessions Courts and 118 in District

Magistrates' Courts). Out of 237 petitions, relating to 615 persons, for disposal 82, relating to 245 persons, were disposed of by Sessions Judges and 127, relating to 325 persons by the District Magistrates. The number of petitions pending at the end of the year in Sessions Courts was 20, relating to 31 persons, (against 14 relating to 63 persons at the end of the previous year) and in the District Magistrates' Courts 8, relating to 14 persons (against 17 relating to 53 persons).

(ii) AVERAGE DURATION:-

The average duration of Revision Petitions disposed of by Sessions Judges was 74.18 days, while in the District Magistrates' Courts it was 42.17 days (against 84.8 and 60.3 respectively in the previous year). The average duration in the Bangalore Sessions Court was 54.5 days; in the Mysore Sessions it was 125.6 days; and in the Shimoga Sessions Court it was only 24.6 days. The Mysore Sessions Judge in several instances, unfortunately wasted time which he could not spare from other work, on cases in

which he might have referred the petitioners at once to the High Court, as he could not dispose of their cases.

16. PUNISHMENTS:-

(Vide Statement No.5)

Four persons were sentenced to death by Sessions Judges against two in the previous year, and 29 persons (against 20 in the previous year) were sentenced to transportation for life.

Of 3167 persons imprisoned (against 2087 in the previous year) 2603 or 82.19 per cent (against 1858 or 89.1 per cent) were sentenced to imprisonment for six months and under, and 564 or 17.8 per cent (against 229 or 10.9 per cent) for longer periods.

The number of persons fined was 24,498 against 21,878 in the previous year. The total amounts of fines imposed and realised were respectively Rs.2,47,748-9-4 and Rs.64,896-6-8 (against Rs.86,071-8-9 and Rs.60,612-10-1 in the previous year). The amount of compensation paid was Rs.988-8-6 against Rs.1507-0-0 in 1938-39.

P A R T III.1. RECORDS:-

The statement given below shows the number of case-records received and dealt with during the year in the District

Record Rooms:-

District	No. of Records received during the year.	No. of time-expired Records destroyed during the year.	Remarks.
Bangalore	9441	52,118	
Kolar	4017	13,339	
Tumkur	994	-	8054 records sorted for destruction.
Mysore	9592	6,005	
Mandya	3019	-	Newly formed from 1-7-40.
Hassan	2919	3,046	
Shimoga	2369	-	
Kadur	346	784	3371 record sorted for destruction.
Chitaldrug	1517	1,610	
Total	34214	76,902	

A large number of records were destroyed in the Bangalore and Kolar Districts. In the Tumkur District, where a temporary additional clerk was

90

employed for 6 months, a large number were sorted for destruction but not destroyed. In Shimoga it was found on inspection that a special staff was required to deal with criminal records, and a record-keeper and a daftarbund have been appointed temporarily; but in the year no destruction work was done.

2. VERIFICATION OF STOCK:-

All the District Magistrates report that the Stock Registers have been properly maintained in their Courts and also in the Courts subordinate to them and that no deficiency nor excess was noticed on inspection.

3. INSPECTIONS:-

The District Magistrates inspected all the subordinate Criminal Courts in their Districts except the Court of the Bench of Honorary Magistrates at Magadi (established from 1st March 1940) in the Bangalore District and the Court of the Amildar-Magistrate of Srinivasapur in the Kolar District. The Judges of the High Court inspected all the Sessions Courts and 19 Magistrates' Courts



(8 District Magistrates' Courts and 11 Special Magistrates' Courts) during the year. The notes of inspection submitted to the High Court by District Magistrates were scrutinised and directions were given when necessary.

4. RENTED BUILDING:-

The following Courts were accommodated in rented buildings.

	<u>Monthly rent.</u>
1. Special First Class Magistrate's Court, Tiptur.	.. Rs.30/-
2. -do- Nanjangud	.. Rs.40/-
3. First Magistrate's Court, Shimoga.	.. Rs.75/-
4. Special First Class Magistrate's Court, Sagar.	.. Rs.30/-
5. -do- Davangere	.. Rs.35/-

PUBLIC PROSECUTORS:-

A Public Prosecutor was appointed for each District From 1st June 1940 to attend to the Sessions Cases, Criminal Appeals etc. arising in the District, the work of the Public Prosecutors of Bangalore, Mysore and Shimoga being limited to those districts respectively from that date.

J. Hanumanagar
REGISTRAR.

STATEMENT 'B'

Statement showing the Original Regular work in the Courts of the District Magistrates,
Stipendiary Magistrates and Benches of Honorary Magistrates during the year 1939-40.

Districts	District Magistrates			Stipendiary Magistrates			Benches of Honorary Magistrates			Remarks
	For dis- posal	Disposed of	Pending	For dis- posal	Disposed of	Pending	For dis- posal	Disposed of	Pending	
Bangalore	6	6	-	10,675	9,938	737	680	593	87	
Kolar	2	2	-	2,954	2,802	152	392	371	21	
Tumkur	6	6	-	2,064	1,899	165	142	138	4	
Mysore	2	2	-	8,462	8,092	370	-	-	-	
Mandya	5	5	-	2,202	2,091	111	-	-	-	
Hassan	1	1	-	1,087	965	122	1,427	1,291	136	
Shimoga	3	3	-	2,644	2,325	319	-	-	-	
Kadur	2	2	-	1,108	916	192	203	197	6	
Chitaldrug	4	4	-	1,571	1,490	81	-	-	-	
	31	31	-	32,767	30,518	2,249	2,844	2,590	254	

29/10/40

81
31
32767
55102

J. Srinivasan
Registrar.

1938-39	Kadur	6	6	6	13	-	-	8	33	-	-	129	265	-	-	15	102	-	-	-	-
1938-39	Chitaldrug	-	-	2	2	-	-	11	21	-	-	32	42	-	-	-	-	-	-	3	3
1939-40	"	-	-	-	-	-	-	10	20	-	-	18	67	-	-	-	-	-	-	5	7
1938-39	Mandya	-	-	-	-	2	2	11	21	-	-	15	58	4	4	-	-	-	-	-	-
1939-40																					
1938-39	Total	31	33	46	111	10	10	501	1331	5	5	1910	3068	118	167	25	104	7	42	19	26
1939-40	Total	34	35	60	146	9	9	359	853	8	8	1987	2598	121	151	40	101	1	4	32	44

High Court of Mysore,)
Bangalore,)
Dated the 29th October, 1940.)

J. Channarayana
Registrar.
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pnk.3.

STATEMENT "A".

Statement showing the result of Heinous Offences in the Mysore State during the year 1939-40.

Year.	Districts.	Giving false evidence.		Murder.		Culpable homicide not amounting to murder.		Grievous hurt.		Rape.		Theft.		Cattle theft.		Robbery.		Dacoity.		Receiving stolen property.		Remarks.
		Cases	Persons.	Cases	Persons.	Cases	Persons	Cases	Persons	Cases	Persons	Cases	Persons	Cases	Persons	Cases	Persons	Cases	Persons	Cases	Persons	
1938-39	Bangalore	6	6	4	4	-	-	32	59	-	-	311	373	-	-	1	2	-	-	-	-	
1939-40	"	4	4	12	12	-	-	22	27	-	-	494	588	-	-	1	1	-	-	1	1	
1938-39	Kolar	1	1	10	14	4	4	44	66	2	2	523	781	41	52	5	15	-	-	7	7	
1939-40	"	3	4	13	13	1	1	5	13	5	5	495	376	50	58	12	58	-	-	9	13	
1938-39	Tumkur	7	7	7	16	-	-	29	76	1	1	178	381	40	56	1	3	6	37	-	-	
1939-40	"	4	4	-	-	3	3	3	8	-	-	93	159	28	34	2	2	-	-	-	-	
1938-39	Mysore	9	9	11	60	5	5	184	568	1	1	417	703	10	17	5	19	1	5	6	6	
1939-40	"	5	5	15	82	2	2	86	221	2	2	346	501	14	21	10	38	-	-	7	8	
1938-39	Hassan	-	-	7	10	1	1	186	499	1	1	240	387	21	36	2	10	-	-	1	7	
1939-40	"	7	7	8	17	1	1	204	491	1	1	237	455	15	24	-	-	-	-	10	15	
1938-39	Shimoga	2	3	1	1	-	-	3	4	-	-	76	101	6	6	2	4	-	-	-	-	
1939-40	"	5	5	6	9	-	-	10	19	-	-	100	129	10	10	1	1	1	4	-	-	

COURTS OF SESSION ..	54503 506		261	118	--	-2	125	--	--	145	58.19	1974
GRAND TOTAL	54,801 29 353	385	19,656	10,295	17,348	428	5,725	567	405	33,284	38.2	57,135

HIGH COURT OF MYSORE,
BANGALORE,
29-10-
DATED 30th SEPTEMBER 1940.

J. Shanmugar
REGISTRAR.

ANNUAL JUDICIAL STATEMENT NO. IV.

Statement showing the General Result of Criminal Trial in the tribunals of various classes in the Mysore State during the year 1939-40.

[illegible]

Mandya	9	9	1	1	6	1	-
Hassan	3	2	-	-	-	2	1
Shimoga	36	28	12	2	14	-	8
Kadur	15	11	2	-	9	-	4
Chitaldrug	-	-	-	-	-	-	-
	357	302	66	89	105	42	55

29-10-40

J. Shanmugar
Registrar.
3

Statement showing the number of Juvenile Offenders brought before the
Courts and how they were dealt with in the State of Mysore during
the year 1939-40.

Names of Courts	No. brought before the Courts.	Number convicted	How they were dealt with				Discharged or Acquitted	Remarks
			Fined	Imprisoned	Dealt with under Sec. 562 Cr.P.C.	Whipped		
Sessions Court, Bangalore.	1	*1						* Sentenced to transportation for life.
Sessions Court, Mysore.	-	-						
Sessions Court, Shimoga.	-	-						
Total	1	1						
<u>Districts.</u>								
Bangalore	118	99	4	57	38	-	19	
Kolar	48	47	7	8	10	22	1	
Tumkur	15	10	3	3	4	-	5	
Mysore	113	96	37	18	24	17	17	

Mysore

in the year 1939-40.

*Includes fines realised during the year though imposed in previous years.

*Includes persons imprisoned and
fined.

Dated: September 1940

WD-02953-GPB-396-9-1-40

KVN/3-

Shamirga
REGISTRAR.

Grand Total..	1222	-	18	644	-	124	308	5	12	4	107	
<u>REVISION.</u>												
By Chief Magistrates of Districts.	339	-	86	139	-	1	5	4	74	16	14	42.17
By Courts of Session	276	-		176	-	1	8	-	39	21	31	74.18
By High Court	820	-	327	164	-	57	201	1	48	-	22	
Grand Total..	1435	-	413	479	-	59	214	5	161	37	67	

High Court of Mysore,
Bangalore,
Dated ~~September~~ 1940.
29-6-

J. Shannigar
Registrar.
h

pnk.3.

ANNUAL JUDICIAL STATEMENT No.6-(Criminal):

Statement showing the result of Appeal and Revision in Criminal Cases in the Mysore State in the year 1939-40.

Tribunals.	Total number appellants and applicants for revision before the Courts.	Died, escaped, trans- ferred to another Province.	Appeals or applica- tions rejected.	Sentence or order confirmed.	Sentence enhanced.	Sentence reduced or otherwise altered.	Sentence reversed.	Proceedings quashed.	New trial or further enquiry ordered.	Referred for revision to the High Court.	Pending trial.	Average number of days during which each appeal lasted.	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13	14
APPEALS.													
To Chief Magistrates of Districts.	385	0	17	177	0	40	126	5	6	1	13	31.26	
To Courts of Session	738	0	1	405	0	73	156	0	6	3	94	36.04	
(By persons convicted.)	97	0	0	60	0	11	26	-	-	-	-)		
(By Govern- ment from order of											)		
(acquittal.	2	0	0	2	-	-	-	-	-	-	-)	28. 4	

Mysore Dn.	Sessions Court.												
	Assistant Sessions Court.	Assessors 3	10	23	10				21			2	
	Additional Assistant Sessions Court.	Jurors 7											
Shimoga Dn.	Sessions Court.	Assessors 3	5	24	4	-	1	-	-	14	6	0	4
	Assistant Sessions Court.	Jurors 5											
Total			22	88	20	-	2	-	-	53	19	8	8

High Court of Mysore,)
 29-10-)
 Bangalore, dated 23rd Sept. 1940.)

J. Shanmugar
 Registrar.

Annual Judicial Statement No.13 (Criminal).

Statement showing the use of Jurors and Assessors in the civil and criminal Courts in the Mysore State in the year 1939-40.

Class of Courts in which Jurors or Assessors were employed, distinguishing civil from criminal Courts.	Established or average number of Jury or Assessors in each case and prescribed qualifications.	No. of cases tried by Jury.	No. of cases tried with the Judge and of Assessors.	Cases in which the Judge approved of the verdict.	Jury trials				No. of cases in which the Judge agreed with the Assessors.	Assessors trials			Remarks.
					Cases in which the Judge did not approve of the verdict.	No. of persons of the verdict in respect of whom the Judge disapproved.				No. of cases in which Judge differed from.			
						Wholly	Partly.	whose cases he referred under Section 307 C. Cr. P.		whose cases he did not refer under Section 307 C. Cr. P.	One Assessor.	Two Assessors.	
1	2	3	4	5	6	7	8	9	10	11	12	13	
<u>Courts of Sessions:-</u>													
Sessions Court.	Assessors 3												
Additional Sessions Court.	Jurors 5	7	41	6	-	1	-	-	18	13	8	2	
Assistant Sessions Court.													

SPECIAL STATEMENT NO. I.

Statement showing the institution and disposal of possession cases etc. in the State of Mysore during the year 1939-40.

Sl. No.	Kinds of cases.	No. pending at the beginning of the year.	No. of cases instituted during the year.		Total for disposal.	Disposed of.	Pending at the end of the year.	Average duration.	Remarks.
			By private parties.	By Police.					
1	2	3	4	5	6	7	8	9	10
1.	Possession Cases	87	120	59	266	206	60	135.5	
2.	Security Cases Breach of peace	10	29	34	73	52	21	93.9	
3.	Security Cases Good Behaviour.	10		100	110	95	15	44.5	
	Total.	107	149	193	449	353	96	104.9	

29/10/40
Bs/3.

J. Shanmugar
Registrar.

Mysore	...	5	11	14	14	31.0	-
Mandya	...	0	7	7	6	39.5	1
Hassan	...	1	23	24	21	29.1	3
Shimoga	...	-	6	6	6	30.8	-
Kadur	...	2	4	6	6	53.0	-
Chitaldrug	...	3	5	8	7	36.5	1
TOTAL	...	17*	118	135	127	42.17	8
GRAND TOTAL	...	31	206	237	209	54.6	28

High Court of Mysore,
Bangalore
Dated 29-10-1940. *Sept.* 1940.

Shanmugar
REGISTRAR.

SPECIAL STATEMENT NO.II.

STATEMENT SHOWING THE INSTITUTIONS AND DISPOSAL OF REVISION CASES IN THE PROVINCE OF MYSORE
DURING THE YEAR 1939 - 1940.

====

NAME OF THE COURT.	No. Pending at the begin- ing of the year.	No. of Cases instituted during the year.	Total for Disposal	Disposed of during the year.	Average duration.	Pending at the end of the year.	R E M A R K S.
1.	2	3	4	5	6	7	8
<u>COURT OF SESSIONS:-</u>							
Bangalore Division ...	6	38	44	40	54.5	4	
Mysore Division ...	7	36	43	28	126.7	15	
Shimoga Division ...	1	14	15	14	24.6	1	
TOTAL ...	14	88	102	82	74.18	20	
<u>DISTRICT MAGISTRATES:-</u>							
Bangalore ...	2	15	17	17	27.9	-	
K o l a r ...	3	20	23	22	53.5	1	
T u m k u r ...	3	27	30	28	38.0	2	

JUDICIAL STATEMENT NO. I (Criminal).

Statement showing the number of Judicial Divisions and the number of Officers exercising Appellate or Original Jurisdiction in the Mysore State on the last day of the year 1939-40 with cost of tribunals.

Name of Division	Area	Population.	No. of divisions for Courts under High Court, but superior to Chief Courts of Districts.	No. of Districts.	No. of sub Districts.	Total number of officers exercising original or appellate jurisdiction.					Total number of cases decided.				Total receipts of the Courts.	Total charges of the Courts.	Remarks.
						Judges of High Court	Judges of other Courts superior to Chief District Courts.	Judges of Chief Courts of Districts.	Judges of District Courts other than the High Court.	Judges of other Subordinate Courts.	Originals		Appeals				
											Regular	Miscellaneous	Regular	Miscellaneous			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Bangalore Division	-	-	1	3	-	-	2	3	-	30	15824	568	376	54	Rs. 45619-1-11	a p 7-10	
Mysore Division	-	-	1	3	-	-	1	3	-	18	12486	316	168	10	25586-10-5	64412-10-4	
Shimoga Division	-	-	1	3	-	-	2	3	-	10	4974	208	140	14	20739-5-2	42863-11-3	
High Court	-	-	-	-	-	6	-	-	-	-	-	-	75	592			
Grand Total	29312	6423189	3	9	-	6	5	9	-	58	33284	1092	759	670	91945-1-6	202376-13-5	

Bangalore
Dt: 18-2-41

A. Acharya
2-18-41

Offences against property, Chapter XVII.	Theft	...	...	...	3522	3080	3145	3028 -63	2434 -32	1767 -23	66 -1	26	359	976 - 7	
	Extortion	...	...	...	16	10	18	14	63	-	1	-	1	29	
	Robbery and Dacoity	...	...	...	98	84	86	431 -78	304 -37	25 -15	52	-	1	39 - 6	
	Criminal misappropriation of property	...	...	...	9	6	9	23	11	4	3	-	-	5	
	Criminal breach of trust	...	...	...	490	469	496	564 - 4	204 - 2	182 - 2	22	33	13	110	
	Receiving of stolen property	...	...	...	33	33	33	41	6	22	-	-	1	12	
	Cheating	...	...	...	190	179	181	339	191	70	4	2	6	66	
	Fraudulent deeds and disposition of property	...	...	...	6	6	6	15	10	2	-	-	-	3	
	Mischief	...	...	...	184	169	181	499 - 5	348 - 4	24 - 1	3	-	5	119	
	Criminal trespass	...	...	...	1038	903	920	2623	1614	469	57	3	37	143	
Offences relating to documents and to trade or property marks				Chapter XVIII	...	23	22	24	50 - 5	26 - 2	7 - 2	-	-	17 - 1	
Criminal breach of contracts of service				do XIX	...	4	4	5	8	5	-	3	-	-	
Offences relating to marriage				do XX	...	36	36	36	74	60	3	-	-	11	
Defamation				do XXI	...	131	127	134	390	245	16	28	-	101	
Criminal intimidation, insult and annoyance				do XXII	...	622	600	608	1523	1246	91	14	2	170	
Offences under special and local laws				...	...	25156	25008	25038	27801 - 2	3595	22643	68	293	1178 - 2	
Grand Total.					...	36230	35244	35550	54383 -506	19656-201	27643 -118	387 - 2	405	567	5725 -125

The figures indicated by - sign relate to Sessions Courts and they have been included in the totals .

High Court of Mysore,
Bangalore,
Dated 18 February 1941.

B. Acharya
REGISTRAR.
RS

ANNUAL JUDICIAL STATEMENT NO. 2 (CRIMINAL)

Statement of offences reported and persons tried, convicted and acquitted of each class of offences in the Mysore State in the year 1939-40.

Statement of offences reported and persons tried, convicted and acquitted of each class of offences in the Mysore State in the year 1934											
Description of offences.	Number of offences reported.	Number of cases returned as true.	Number of cases brought to trial during the year	Under trial during the year including pending from previous year	Acquitted discharge	Number of persons					Remarks.
						Convicted	Died, escaped or transferred to another province.	Struck off under C.L. 114	Dealt with under Section 502, Cr.P.C.	Remaining under trial.	
1	2	3	4	5	6	7	8	9	10	11	12
Offences against the State, Chapter VI of the Indian Penal Code. ...	47	47	40	133 - 2	51	72 - 2	2	1	-	7	
Do relating to the Army and Navy Chapter VII ...	-	-	-	-	-	-	-	-	68	713	
Do against the public tranquillity do VIII ...	530	554	504	3861 - 10	1791	1283 - 10	6	3	-	1	
Do by or relating to public servants do IX ...	18	17	20	46	39	3	-	-	-	41	
Contempts of the lawful authority of public servants do X ..	178	178	178	293	70	169	-	13	-	21	
False evidence and offences against public justice do XI ..	163	146	151	301 - 1	52	1 209	2	4	13	8 - 4	
Offences relating to coin and Government stamps do XII ..	6	6	6	12 - 4	4	-	-	-	-	3	
Do relating to weights and measures do XIII ..	74	74	74	76	15	37	-	1	-	4	
Do affecting the public health, safety, convenience, decency and morals do XIV ..	14	14	14	16	2	10	-	-	-	-	
Do relating to religion do XV ..	5	4	5	11	10	1	-	-	-	-	
Offences affecting life ...	230	222	223	504-251	223	130 79-45	4	7	13	178-76	
Causing of miscarriage, injuries to unborn children, exposure of infants and the concealment of births. ...	29	24	28	39	17	5	1	-	5	11	
... ..	1622	1572	1630	160 - 44	3440 - 19	239 - 9	23 - 1	2	10	755-15	
... ..	215	202	205	141	476	29	2	1	-	133	
Restraint and wrongful confinement ...	1421	1365	1407	386 - 11	300	131	24	7	11	512-11	
Violence and assault ...	1421	1365	1407	386 - 11	300	131	24	7	11	59-3	
Kidnapping, forcible abduction, slavery and forced labour ...	63	63	63	189 - 21	64 - 12	27 - 6	2	7	-	-	
... ..	12	13	13	13 - 5	9 - 2	4 - 3	-	-	-	-	

Chapter XX.		266	955	549	146	260
9.	Possession, Chapter XII.	89	97	60	23	14
10.	Maintenance, Chapter XXXVI.	168	168	13	153	2
11.	Proceedings under Lunacy Act.	170	167	104	63	-
12.	Proceedings under Section 528.					
13.	Proceedings under Sections 516, 517, 518 and 523.	5	13	6	7	-
14.	Bail applications (Sections 497 and 498)	9	9	1	8	-
15.	Proceedings under Railway Act.	30	36	3	33	-
16.	Criminal Tribes Act.	5	5	-	5	-
17.	Proceedings under Extradition Act.	1	2	-	2	-
18.	Application against Notice of demand issued under Section 86 of the Mysore Municipal Act.	20	34	10	23	1
19.	Proceedings under the Mysore Securities Act.	5	6	2	4	-
20.	Proceedings under Section 563.	1	1	-	1	-
21.	Proceedings under Section 476.	2	2	2	-	-
22.	Proceedings under Land Acquisition Act.	1	1	-	-	1
23.	Proceedings under Section 552.	1	1	1	-	-
* T O T A L		1215	2501	1189	813	499
		77	195	95	100	-

*This includes figures relating to the Courts of Sessions.

Dated 18.2.41

Bs/3

S. S. Chetty
REGISTRAR

STATEMENT OF MISCELLANEOUS PROCEEDINGS UNDER THE CODE OF CRIMINAL PROCEDURE IN THE
MYSORE STATE DURING THE YEAR 1939-40.

Nature of Proceedings.	Total No. of cases before the Courts during the year.	No. of persons con- cerned.	No. of persons dis- charged.	No. of persons convic- ted.	Pending	Remarks
1	2	3	4	5	6	7
1. Frivolous or vexatious complaints dealt with under Chapter XX, Section 250.	24	26	6	20	-	
2. Proceedings against witnesses under Chapter IV(c) and Section 485.	26	29	29	-	-	
3. Forfeiture of bail or recognizance under Chapter XLII.	133	253	129	124	-	
4. Non-attendance of Jurors or Assessors, Chapter XXIII.	30	31	14	17	-	
5. Contempt of Courts under Chapter XXXV.	3	3	2	1	-	
6. Proceedings under Chapter VIII to prevent breach of the peace.	73	447	192	63	192	
7. Security for good behaviour under Chapter VIII	110	130	41	67	22	
~~proceedings~~ proceedings against local nuisances.	42	85	25	53	7	

REPORT ON THE ADMINISTRATION OF CRIMINAL JUSTICE
IN MYSORE FOR THE YEAR 1938-39

WITH THE GOVERNMENT REVIEW THEREON.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

G. O. No. P. 6712-21—Cts. 112-39-6, dated 11th April 1940.

Criminal Justice.

Reviews the Report on the Administration of — in Mysore, for the year 1938-39.

READ—

Correspondence ending with letter No. Roc. P. 37—38-39, dated 30th November 1939, from the Registrar, High Court of Mysore, forwarding the Report on the Administration of Criminal Justice in Mysore, for the year 1938-39.

ORDER No. P. 6712-21—CTS. 112-39-6, DATED BANGALORE,
THE 11TH APRIL 1940.

Recorded.

2. The number of courts exercising original jurisdiction during the year under review was 69, excluding the courts of the *ex-officio* Magistrates but including 13 Benches of Magistrates and 7 Justices of the Peace.

3. *Magisterial Work*:—The Stipendiary Magistrates other than District Magistrates disposed of 26,405 cases in respect of 38,645 persons during the year under review against 26,232 cases regarding 39,153 persons in the previous year. The number of cases left pending in the courts of these Magistrates, however, rose from 2,021 in the previous year to 2,505 in the year under review.

Benches of Honorary Magistrates had before them 3,807 cases regarding 5,234 persons against 3,149 cases in respect of 4,292 persons in the previous year. They disposed of 3,426 cases regarding 4,410 persons against 2,757 cases regarding 3,625 persons in the previous year. The number of cases left pending was 381 against 392 in the previous year.

No case was left pending at the end of the year under review in the courts of the District Magistrates.

4. *Average Duration*:—It is satisfactory to note that there was an allround reduction in the average duration of criminal trials in the courts of Magistrates (District Magistrates, Stipendiary Magistrates and Bench Magistrates).

5. *Cases Over Six Months Old*:—Government are constrained to observe that the number of cases over six months old left pending at the end of the year rose to 336 from 256, the number at the end of the previous year. In the Bangalore District alone, there were as many as 201 such cases. Government desire to impress upon the attention of the District Magistrates the importance of their exercising closer supervision over the work of the Magistrates subordinate to them so as to ensure promptness in the disposal of old cases and to see that no case is allowed to drag on for over six months unless it be for unavoidable causes. The observations of the High Court regarding the large number of old cases under the Irrigation Act before the Amildar-Magistrate, Hoskote, awaiting orders of withdrawal will be brought to the notice of the concerned administrative authorities.

6. *Miscellaneous Proceedings in the Courts of Magistrates*:—There was a slight decrease in the number of miscellaneous proceedings before Magistrates' Courts, *viz.*, 1,032 concerning 2,413 persons against 1,215 concerning 2,766 persons in the previous year. The largest number of cases related as before to disputes regarding immovable property (Chapter XII, Code of Criminal Procedure), namely, 274 cases concerning 1,233 persons against 300 cases concerning 1,120 persons in the previous

year. Though there was a slight decrease in the number of cases instituted by private parties regarding immovable property, the number (138) is still high. As the High Court has observed, the Magistrates concerned should realise the desirability of preventing parties from abusing the preventive provisions of the Code of Criminal Procedure for purposes of civil disputes.

7. *Juvenile Offenders*:—There was a slight decrease in the number of juvenile offenders brought before Magistrates' Courts, viz., 271 against 281 in the previous year. Notwithstanding the reduction in the number of such offenders imprisoned, namely, 63 as against 80 in the previous year, the number is still high.

8. *Sessions Work*:—There was an increase in the number of Sessions cases which came up for disposal during the year under review, viz., 128 cases involving 311 persons, against 108 cases involving 248 persons in the previous year. Though there was an increase in the number of cases disposed of (107 against 101 in the previous year), the number of cases pending at the end of the year was 19 as against 7 in the previous year. The increase in the number of cases pending is reported to be due partly to the large number of institutions in the Bangalore Division, viz., 66 as against 36 in the previous year. The average duration also increased both in the Mysore and Shimoga Divisions.

9. *Appeals*:—The appellate work in the Sessions Courts continued as usual to be very heavy. Five hundred and forty-four appeals preferred by 724 persons (against 559 appeals by 708 persons) were before Sessions Judges and 489 of such appeals by 583 persons were disposed of, leaving a balance of 55 cases preferred by 141 persons. The average duration of appeals disposed of by Sessions Judges was 41.1 days against 40.4 days in the previous year. It is gratifying to note that there was an appreciable reduction in the average duration in the Bangalore Division, viz., 16.2 days as against 36.4 days in 1937-38 and 125.5 days in 1936-37. There was a slight increase in the number of appeals before the Magistrates (198 against 190 in the previous year) with the corresponding increase in the disposal of such appeals in the courts of Magistrates. The average duration of appeals disposed of in these courts was 30.3 days as against 30.9 days in the previous year.

10. *High Court*:—Out of 39 appeals for disposal, the High Court disposed of 38 appeals, leaving a balance of one appeal pending at the end of the year. The average duration of the appeals disposed of by the High Court during the year under review was shorter than during the preceding years, viz., 26.44 days as against 29.51 days in 1937-38 and 37.48 days in the year 1936-37.

11. *Inspections*:—The District Magistrates of Districts inspected all the subordinate criminal courts in their districts except the courts of *ex-officio* First Class Magistrates of Bangalore, Doddballapur, Gubbi and Tumkur. The Judges of the High Court inspected all the Sessions Courts and twelve Magistrates' Courts, (seven District Magistrates' Courts and five Special Magistrates' Courts) during the year.

Government are glad to note that the disposal of work in Magistrates' Courts was generally more prompt than in the previous years. In the Sessions Courts also there was an appreciable improvement in the number of cases disposed of.

H. V. NARAYANA RAO,
*Secretary to Government,
Law Department.*

The Registrar, High Court of Mysore.
The District Magistrates of Districts.

PRESS TABLE.

Exd. B. G. S.

REPORT ON THE ADMINISTRATION OF CRIMINAL JUSTICE
IN MYSORE FOR THE YEAR 1938-39.

PART I.

HIGH COURT.

1. Personnel.

(i) Sir D'Arcy Reilly, Chief Justice, was on leave for 11 days from 11th October 1938 to 21st October 1938. *Rajadharmaprasakta* Mr. Justice K. Shankaranarayana Rao officiated as Chief Justice during the period, and Mr. Justice T. Singaravelu Mudaliar who was acting in the place of Mr. Justice A. R. Nagesvara Iyer on other duty in the Viduraswatha Disturbance Inquiry Committee from 10th June 1938 to 10th October 1938 continued to act as a Judge of the High Court.

(ii) Sir D'Arcy Reilly, Chief Justice was again on leave from 11th June 1939 to the end of the year. Mr. Justice C. Abdul Ghani officiated as Chief Justice during the period, and Mr. S. Venkataranga Iyengar, District Judge, was appointed to act as a Judge of the High Court, in the vacancy thus caused.

(iii) *Rajadharmaprasakta* Mr. Justice K. Shankaranarayana Rao was granted privilege leave for eight days from 22nd to 29th October 1938 preparatory to retirement from service, and Mr. Justice T. Singaravelu Mudaliar continued to act as a Judge of the High Court.

(iv) Mr. Justice A. R. Nagesvara Iyer was on the Viduraswatha Disturbance Inquiry Committee from 10th June 1938 to 10th October 1938, and Mr. T. Singaravelu Mudaliar, District Judge acted as a Judge of the High Court.

(v) The term of the temporary Fourth Judge of the High Court was further extended by a year from 2nd January 1939.

2. Appeals.

(i) *Institutions*.—The number of appeals filed during the year was 39 against 42 in the previous year and 74 in 1936-37. Five appeals (against one in the previous year) were preferred by the Government against orders of acquittal.

(ii) *Disposals*.—No appeals remained from the previous year. The total number of appeals for disposal was 39, involving 51 persons, against 45 appeals, involving 101 persons, in the previous year. Thirty-eight appeals, involving 50 persons, were disposed of in the year, and one appeal, involving one person, was left pending at the end of the year. As this appeal was filed on the 5th June 1939 and the connected records were received only on the 23rd June 1939 it could not be heard and disposed of, before the end of the year under report. In three out of the five appeals against acquittals, the orders of the lower court were confirmed, while in the remaining two the accused were convicted for offences punishable under Section 406 of the Penal Code and under Sections 419 and 114 of the Penal Code, respectively. In 22 of the remaining appeals the convictions and sentences were confirmed; in three appeals, concerning three persons, the sentences were reduced or altered; in seven appeals, concerning 15 persons, the convictions were reversed; and in one appeal, concerning one person, a fresh trial was ordered. (Details are shown in Statement No. 6).

(iii) *Pendency*.—One appeal, concerning one person was left pending at the end of the year in the circumstances mentioned in the previous sub-paragraph.

(iv) *Average duration*.—The average duration of the appeals disposed of during the year was shorter than before, being 26.44 days against 29.51 days in the previous year and 37.48 days in the year 1936-37.

3. References under Section 374, Code of Criminal Procedure

Two cases, involving two persons, came up for confirmation of sentences of death during the year. The sentence of death was reduced to transportation for life in one case and in the other case the accused was acquitted. No case was left pending.

References under Section 307, Code of Criminal Procedure.

No case under this provision of law was pending at the beginning of the year. One case, involving five persons, was referred to the High Court during the year. In that case the verdict of the Jury was not accepted.

5. Miscellaneous Appeals.

No miscellaneous appeal was pending at the end of 1937-38, nor was any filed during 1938-39.

6. Revision.

(i) The number of copies of judgments and orders of lower Courts received in the High Court during the year under report was 1,165 against 1,292 in the previous year. .

(ii) The number of cases referred to the High Court by Sessions Judges and District Magistrates or taken up by the High Court for revision *suo motu* was 49 involving 97 persons; and, including 11 cases, involving 19 persons, which were pending from the previous year, the total number for disposal was 60 cases, relating to 116 persons. Of these 55 cases, relating to 107 persons, were disposed of, and five cases, involving 9 persons were pending at the end of the year.

(iii) *Revision Petitions*.—The number of petitions for revision received during the year was 298, involving 407 persons, against 392, involving 637 persons in the previous year. At the beginning of the year 83 revision petitions, involving 158 persons, were pending. The number of petitions disposed of was 300 involving 425 persons against 382 involving 605 persons in the year 1937-38; and 81 petitions, involving 140 persons, were left pending at the end of the year. The decisions of the lower Courts were reversed in 69 cases and altered in 16 cases. Retrial or further inquiry was ordered in 16 cases. One hundred and twenty-seven petitions were rejected without notice to the other side, and 72 were dismissed after notice. It will be seen that over 66 per cent of the petitions were unsuccessful against 67 per cent during the previous year.

7. Other Petitions.

Including two petitions pending at the end of the year 1937-38, there were for disposal 108 petitions, of which 107 were disposed of, leaving one pending at the end of the year.

8. Cases under Contempt of Courts Act.

No case was pending at the end of the previous year. One case, involving one person, was taken up by the High Court during the year but was eventually dismissed.

9. General view of work of the High Court on the Criminal side.

The table below shows the work of the High Court on the Criminal side as compared with that of the previous year.

Year	For disposal										Disposed of							Pending										
	Appeals	Cases under Section 374, C. Cr. P.	References under Section 307, C. Cr. P.	Miscellaneous appeals	Revision cases	Revision petitions	Other petitions	Cases under Contempt of Courts Act	Total	Appeals	Cases under Section 374, C. Cr. P.	References under Section 307, C. Cr. P.	Miscellaneous Appeals	Revision cases	Revision petitions	Other petitions	Cases under Contempt of Courts Act	Total	Appeals	Cases under Section 374, C. Cr. P.	References under Section 307, C. Cr. P.	Miscellaneous Appeals	Revision cases	Revision petitions	Other petitions	Cases under Contempt of Courts Act	Total	
1937-38 ...	45	4	1	...	42	465	114	1	672	45	4	1	...	31	382	112	1	576	...	...	...	...	11	83	2	...	96	
1938-39 ...	39	2	1	...	60	381	108	1	592	38	2	1	...	55	300	107	1	504	1	...	...	...	...	5	81	1	...	88

The work of the Court was up-to-date at the end of the year.

PART II.

1. Number of Courts and Jurisdiction.

(a) Excluding *Ex-officio* Magistrates, the number of Judges and Magistrates, exercising original jurisdiction at the end of the year under report was the same as that in the last year, namely:—

- 4 Sessions Judges (including one Additional Sessions Judge at Bangalore),
- 4 Assistant Sessions Judges (including one Additional Assistant Sessions Judge at Mysore),
- 8 District Magistrates,
- 29 Special Magistrates (including the Second City Magistrate of Bangalore, the Second City Magistrate of Mysore and the Sub-Division Officer, Saklespur),
- 4 Munsiff-Magistrates (at Dodballapur, Hole-Narsipur, Hunsur and Kolar Gold Fields),
- 13 Benches of Magistrates, and
- Justices of the Peace 7

(b) The appointment of a temporary Additional District and Sessions Judge for the Bangalore Division was continued for a further period of a year from 3rd April 1939.

(c) The term of the temporary Second City Magistrate of Bangalore was further extended for a period of a year from 2nd January 1939.

(d) The Second City Magistrate's Court at Mysore was continued for another year from 1st September 1938.

(e) There was no change in the itineration of Magistrates during the year.

(f) *Justices of the Peace*.—Sir Charles Todhunter, Private Secretary to His Highness the Maharaja of Mysore, Mr. E. G. McAlpine, Director of Public Instruction in Mysore, Mr. J. C. Rollo, Principal of the Maharaja's College at Mysore, and Mr. A. B. Mackintosh, Principal of the Central College at Bangalore, continued to be Justices of the Peace during the year. Dr. Sir M. O. Forster, F.R.S., D.Sc., Ph.D., F.I.C., Mysore, Mr. D. H. Elwin, I.C.S., Companion to Yuvarajakumar Jaya Chamaraja Wadiyar, and Mr. C. E. Lloyd Worth, Tobacco Manufacturers (India) Limited, Bangalore, were also appointed as Justices of the Peace from 1st September 1938.

(g) The system of giving magisterial work to Munsiffs and civil work to Magistrates in addition to their usual civil and criminal work, respectively, was continued in certain places. The Munsiffs of Hole-Narsipur and Hunsur continued to be in charge of Second Class Magistrates' Courts at those stations, while the Munsiff of Dodballapur continued to be a First Class Magistrate by virtue of his office. Similarly the Munsiff of Kolar Gold Fields continued to be a Second Class Magistrate for the trial of sanitation cases in the Gold Fields Sanitary Board Area by virtue of office. The Second Magistrates at Kolar and Tumkur continued to be Additional Munsiffs of the Courts of the Munsiff of Kolar and First Munsiff of Tumkur respectively. But the Second Magistrate at Kolar was not given any civil work during the year under report. First Class Magistrates of the status of Subordinate Judges continued to work also as Additional Subordinate Judges, those stationed at Chikmagalur, Chitaldrug, Hassan and Kolar, hearing both Original Suits and Civil Appeals of their Districts and the First Magistrate of Tumkur hearing only Civil Appeals from the decisions of the Munsiffs in the Tumkur District.

2. Receipts and Charges.

The receipts of Criminal Courts, other than the High Court, amounted to Rs. 86,879-3-7 against Rs. 94,453-12-4 in the previous year and the charges to Rs. 2,06,020-2-6 against Rs. 2,13,050-8-6. The decrease in receipts by Rs. 7,574-8-9 was partly due to decrease in realisation of fines (Rs. 60,612-10-1 against Rs. 64,439-10-1).

3. Offences Reported.

The total number of offences reported was 33,653 against 31,939 in the previous year, showing an increase of 1,714; and there was a corresponding increase in the number of cases returned as true, viz., 32,395 against 31,234. The proportion of cases returned as true was 96.2 against 97.7 per cent in the previous year.

4. Persons brought to Trial.

Including 5,793 persons awaiting trial at the close of the previous year, the total number of persons brought to trial in Magistrates' Courts was 49,477 (excluding 291 persons committed to sessions during the year) against 48,405 in the previous year. Of the persons brought to trial, the cases in respect of 42,795 against 42,612 in the previous year were disposed of, the percentage being 86·4 against 88. The total number of persons convicted was 23,854 and of those acquitted or discharged 17,810. The proportion of persons convicted to those acquitted or discharged was 57·2 to 42·7 for the year under report against 54·6 to 45·4 for the previous year. The number of persons whose cases were left pending at the end of the year was 6,682 against 5,793 at the end of the previous year.

5. Offences under the Penal Code.

(i) *Affecting the human body.*—

The number of persons tried for offences under this head was 9,729 (against 10,110 in the previous year) or 19·6 per cent of the total number of persons brought to trial (against 20·8 per cent in the previous year). The cases concerning 7,620 persons (against 8,282 in the previous year) were disposed of, 455 or 5·9 per cent (against 374 or 4·5 per cent) being convicted. The largest proportion of persons, 8,890 (5,531 + 3,359) or 91·3 per cent (against 8,923 or 88·2 per cent) was, as usual, concerned in offences of hurt and assault. The total number of persons acquitted or discharged under this head was 7,047 or 92·4 per cent of the persons whose cases were disposed of.

(ii) *Affecting property.*—

The number of persons dealt with under this head was 9,053 or 18·2 per cent of the total number of persons brought to trial (against 9,230 or 19·06 per cent in the previous year). The cases of 6,969 persons were disposed of, the percentage of convictions being 29·8 against 29·2 in the previous year. Of the total number of persons brought to trial under this head, 55·05 per cent were dealt with for offences of theft and 24·8 per cent for trespass, against 52·3 per cent and 27·04 per cent, respectively, in the previous year.

Offences punishable under special and local laws.

The number of persons brought to trial under this head was 25,016 or 50·05 per cent of the total number of persons brought to trial against 23,105 or 47·7 per cent in the previous year. The cases against 23,850 persons were disposed of, 20,302 or 85·1 per cent being convicted against 85·6 per cent in the previous year.

Details for "Offences under special and local laws" have been given with figures under each law separately in the statement appended to this report.

Heinous offences punishable under the Indian Penal Code.

Information regarding these offences is embodied in Statement 'A' annexed. Compared with the previous year's figures there was an increase in offences only under grievous hurt (501 against 302), cattle theft (118 against 109), and dacoity (7 against 6), while there was a fall in offences under giving false evidence (31 against 42), murder (46 against 66), culpable homicide not amounting to murder (10 against 11), theft (1,910 against 2,033), robbery (25 against 44), and receiving stolen property (19 against 30). The number under rape was the same as that in the last year namely 5.

8. General results of Magisterial work.

(Vide Statement No. 4 as regards persons and Statement B as regards cases).

(a) *Work done.*—The number of persons dealt with by Magistrates was 49,477 (excluding 291 persons committed to sessions) against 48,405 showing an increase of 1,072 persons. There was also a corresponding increase in the number of cases, namely 32,737 against 31,409 in 1937-38.

(i) *District Magistrates' Courts.*—Twenty cases regarding 31 persons (against seven cases regarding 21 persons in the previous year) were before District Magistrates who disposed of all the 20 cases against 6 cases in the previous year. No case was left pending at the end of the year.

(ii) *Stipendiary Magistrates' Courts*.—By Stipendiary Magistrates other than District Magistrates 26,405 cases regarding 38,645 persons were disposed of against 26,232 cases regarding 39,153 persons in the previous year. The number of cases left pending was 2,505 against 2,021 in the previous year.

(iii) *Benches of Honorary Magistrates*.—Benches of Honorary Magistrates had before them 3,807 cases regarding 5,234 persons against 3,149 cases regarding 4,292 persons in the previous year, and they disposed of 3,426 cases regarding 4,410 persons against 2,757 cases regarding 3,625 persons in the previous year. The number of cases left pending was 381 against 392 in the previous year.

(b) *Pendency*.—There was an increase in the total number of cases and of persons awaiting trial at the end of the year under report, the respective numbers being 2,886 and 6,682 against 2,414 and 5,793 in the previous year.

(c) *Average duration*.—In the Courts of the District Magistrates, the average duration of criminal trials was 26·6 against 50·6 days in the previous year; in the Courts of the Stipendiary Magistrates it was 40·4 days against 52·1 days; and in the Bench Magistrates' Courts it was 36·8 days against 40·8 days showing an all round reduction. The improvement by an average of 24 days in the District Magistrates' Courts and 11·7 days in the Stipendiary Magistrates' Courts is satisfactory.

(d) *Cases over six months old*.—The number of cases over six months old left pending at the end of the year was 336 against 256 at the end of the previous year. Of the 336 cases pending over six months:—

201 were in the Bangalore District,
71 in Mysore District,
27 in Tumkur District,
14 in Kadur District,
8 in Kolar District,
8 in Hassan District,
6 in Shimoga District, and
1 in Chitaldrug District.

As could be seen above, the largest number of cases pending, *viz.*, 201 was in the Bangalore District and the smallest number, *viz.* one, was in the Chitaldrug District. Taking individual Courts, the largest number of such old cases, *viz.*, 87 was in the Court of the Amildar-Magistrate at Hosakote. The next was 37 in the Court of Bench of Magistrates at Bangalore. Next come the City Magistrate's Court at Bangalore (32), the Second City Magistrate's Court at Mysore (26), First Magistrate's Court at Bangalore (18), Special First Class Magistrates' Court at Mysore (17), Special First Class Magistrate's Court at Madhugiri (16), Special First Class Magistrate's Court at Mandya (14), Special First Class Magistrate's Court, Closepet (13), Special First Class Magistrate's Court at Chickmagalur (12), Second Magistrate's Court at Tumkur (10), Bench Magistrate's Court at Chintamani (7), City Magistrate's Court at Mysore, Second Magistrate's Court at Shimoga and Bench Magistrates' Court at Devanhally (6 in each Court), Second City Magistrate's Court at Bangalore, Special First Class Magistrate's Courts at Nanjangud and Seringapatam, Special First Class Magistrate's Court at Hassan, Bench Magistrates' Courts at Hosakote and Hassan (4 in each Court), Bench Magistrates' Court at Chikmagalur (2), Special First Class Magistrate's Court at Tiptur, Bench Magistrates' Court at Malur and Sub-Division Officer and *Ex-officio* First Class Magistrate's Court at Chitaldrug (one in each Court). It is highly unsatisfactory that in spite of the remarks of the Government and the High Court on the dilatoriness of Magistrates, the number of cases six months old but still undisposed of was much larger than that in the three previous years (256 in 1937-38, 185 in 1936-37, and 203 in 1935-36). In the Bangalore District alone, there were as many as 201 such cases. Mysore comes next with 71. The supervision of District Magistrates in these Districts must be slack; when it is found that in other Districts the number of old cases is small, dwindling down to only one case in the Chitaldrug District. Except for some special reason, no case ought to prolong over six months. Even before Benches of Magistrates, who deal with petty cases, there were 61 old cases. This may be an improvement over the figures 91—of last year, but there is hardly any justification for any petty case taking up so much time. The *Ex-officio* Magistrates, as a class, would have come out with credit in this respect, were it not for the Amildar-Magistrate at Hosakote, who is responsible for practically

all the old cases, *viz.*, 87 out of 88 for the whole State. It is explained, however, that these cases which are all under the Irrigation Act, were awaiting orders of withdrawal from the higher authorities and could not be proceeded with. A period of six months should have been enough to obtain orders one way or the other; and if necessary, reminders should have issued and orders obtained within a reasonable time.

9. *Miscellaneous proceedings in the Courts of the Magistrates.*—

(a) The total number of miscellaneous proceedings before Magistrates' Court was 1,032 concerning 2,413 persons, against 1,215, concerning 2,765 persons, in the previous year. The largest number of cases related, as before, to disputes regarding immoveable property (Chapter XII, Code of Criminal Procedure), namely 274 cases concerning 1,233 persons against 300 cases concerning 1,120 persons in the previous year.

(b) *Average duration.*—Out of 1,032 miscellaneous cases for disposal in Magistrates' Courts during the year under report, 878 cases (as against 1,052 cases) were disposed of leaving 154 cases (as against 163) pending. The average duration was 82·2½ days against 107·2 days in 1937-38, which shows some improvement.

(c) *Possession and Security Cases.*—

(i) *Possession cases.*—The number of cases pending at the beginning of the year was 82. The number of cases instituted during the year was 192 (138 by private parties and 54 by the Police), making a total of 274 cases for disposal. Of these, 187 cases were disposed of leaving 87 pending at the end of the year. The average duration in respect of possession cases disposed of was 112·4 days as against 120·8 days in the previous year. Though there is some improvement in this direction, yet the average duration is still much too high. Notwithstanding the reduction in the number of cases instituted by private parties namely 138 as against 182 in the previous year, the number is still high and the Magistrates concerned should realise the desirability of preventing parties from abusing the preventive provisions of the Code of Criminal Procedure in this way for purposes of civil disputes. The number of possession cases instituted by private parties varies from District to District. In the Tumkur District 30 such cases were filed by private parties and 20 in each of the Bangalore and Chitaldrug Districts. On the other hand in the Hassan District only 6 cases were instituted.

(ii) *Security for keeping the peace.*—The number of cases pending at the beginning of the year was 11. The number of cases instituted during the year was 39 (5 by private parties and 34 by Police), making a total of 50 cases for disposal. Of these, 40 cases were disposed of, leaving 10 pending at the end of the year. The average duration of cases disposed of was 86·9 days against 87 days during the previous year.

(iii) *Security for good behaviour.*—The number of cases pending at the beginning of the year was 24. The number of cases instituted during the year was 84 (15 by private parties and 69 by Police), making a total of 108 cases for disposal. Of these, 98 cases were disposed of, leaving 10 pending at the end of the year. The average duration of cases disposed of was 76·6 days against 75·8 in the previous year.

(iv) *Cases over six months old.*—The number of cases over six months old left pending at the end of the year was 29. Of the 29 cases so left pending, 12 were in the Mysore District, 8 in each of the Districts of Bangalore and Kadur and 1 in the Tumkur District. The other Districts were clear of such suits.

10. *Examination of Witnesses.*

In the Courts of the Magistrates 68,686 witnesses appeared during the year under report (in both Regular and Miscellaneous cases), the number of those examined being 55,878 (81·3 per cent) against 53,708 (79·3 per cent) in the previous year. The amount of travelling allowance and batta paid to witnesses was Rs. 1,833-9-7 against Rs. 2,582-8-3 in the previous year. It is reported that no witness was detained more than 3 days in any Magistrate's Court.

11. *Juvenile Offenders.*

From the statement appended to this report it will be seen that the number of Juvenile offenders brought before Magistrates' Courts was 271 against 281 in the

previous year. The Bangalore District provided the largest number namely 91 against 73 in the previous year. It is satisfactory to note that no juvenile offenders were brought before any of the Courts in the Districts of Hassan and Chitaldrug. The number of juveniles convicted was 226 against 222 in 1937-38. Of those convicted, 106 were dealt with under the provisions of Section 562 of the Code of Criminal Procedure (against 80 in the previous year), 45 were fined, 63 were imprisoned and 12 were whipped. The number imprisoned was 63 as against 80 in the previous year. Though the number imprisoned was less by 17, it is still high.

12. Sessions Work.

(Vide STATEMENT No. 4.)

(i) There were 7 Sessions cases involving 18 persons left over from the previous year, and 121 cases involving 293 persons were received during the year, making a total of 128 cases involving 311 persons for trial against 108 cases involving 248 persons in the previous year. The disposals in the Bangalore, Mysore and Shimoga Divisions were respectively 59, 24 (excluding 2 cases transferred and referred) and 24 cases against 45, 32 and 24 cases as shown in the statement given below:—

Courts	Opening balance		Filed		Total for disposal		Disposed of		Pending	
	Cases	Persons	Cases	Persons	Cases	Persons	Cases	Persons	Cases	Persons
1. BANGALORE DIVISION.										
Sessions Judge including Additional Sessions Judge.	6	16	62	106	68	122	57	99	11	23
Assistant Sessions Judge.	...	...	4	9	4	9	2	7	2	2
Total ...	6	16	66	115	72	131	59	106	13	25
2. MYSORE DIVISION.										
Sessions Judge ...	1	2	19	67	20	69	19	66	1	3
Assistant Sessions Judge.	...	...	11	15	11	15	7	8	4	7
Total ...	1	2	30	82	31	84	26(a)	74	5	10
3. SHIMOGA DIVISION.										
Sessions Judge ...	...	...	22	60	22	60	22	60	...	...
Assistant Sessions Judge.	...	...	3	36	3	36	2	13	1	23
Total ...	...	...	25	96	25	96	24	73	1	23
Grand Total ...	7	18	121	293	128	311	109(a)	253	19	58

(a) Includes 2 cases transferred and referred.

The total number of cases disposed of was 107 (excluding two cases transferred and referred) against 101 in the previous year. The total number of cases pending at the end of the year was 19 against 7 in the previous year, the increase in the number of cases pending being partly due to the large number of institutions in the Bangalore Division, namely 66 as against 36 in the previous year.

(ii) *Trial by Jury* (Vide Statement No. 13).—The number of cases tried by jury was 11 against 9 in the previous year. The Judges accepted the Jury's verdict in 10 cases.

(iii) *Trial with the aid of Assessors* (Vide Statement No. 13).—The number of cases tried with the aid of assessors was 71 against 70 in the previous year. The Judge agreed with all the assessors in 53 cases and differed from one or more of them in the other cases.

(iv) *Witnesses Examined*.—The total number of witnesses examined in Sessions Cases was 1,699 against 1,479 in the previous year, 739 (against 643) in the Bangalore Division, 393 (against 463) in the Mysore Division, and 567 (against 373) in the Shimoga Division. The total amount of batta and travelling allowance paid to witnesses in Sessions Courts in the three Divisions was Rs. 3,431-9-0 against Rs. 3,213-3-4 in the previous year.

(v) *Average duration.*—The average duration of Sessions cases was 51 days for the year under report against 43·3 days in the previous year and 59 days in 1936-37. The average duration in the Bangalore, Mysore and Shimoga Divisions was respectively 48·9 (against 50·4), 56·6 (against 42·08) and 50·5 (against 31·6) days. A rise is noticed in Mysore and particularly in the Shimoga Division, and it is due to a few heavy cases occupying an unusually long time to finish.

13. Trial of European British Subjects.

The number of cases pending before the Justice of the Peace at the beginning of the year was four and all of them were on the file of Mr. A. B. Mackintosh, Principal of the Central College at Bangalore. One case was instituted during the year under report. Three of the four cases pending were transferred by the High Court of Madras to the file of the District Magistrate and Justices of the Peace, Civil and Military Station and two cases were left pending on the file of Mr. Mackintosh at the end of the year under report. One of these cases is pending for over a year and no reasons are forthcoming for this delay.

14. Appeals.

(Vide Statement No. 6).

The Appellate Courts subordinate to the High Court had to deal with 742 Regular Appeals, preferred by 991 persons against 749 appeals preferred by 990 persons in the previous year. Of these 198 appeals preferred by 267 persons (against 190 appeals of 282 persons) were before Magistrates and 544 appeals preferred by 724 persons (against 559) appeals of 708 persons before Sessions Judges. The number of appeals disposed of in the Courts of the Magistrates was 183 relating to 238 persons (against 174 relating to 261 persons) leaving 15 appeals relating to 29 persons (against 16 appeals of 21 persons) pending at the end of the year. In the Sessions Courts the number of appeals pending at the beginning of the year was 36; the number received in the year was 508; the number disposed of was 489; the number left pending was 55. The appellate work at the Sessions Courts continued as usual to be very heavy. In the Bangalore Sessions Court 257 appeals were filed in the year, and three were pending at the beginning of the year. Two hundred and thirty-four appeals were disposed of (against 314) and 26 (against 3) were left pending. In the Mysore Sessions Court, 201 appeals were disposed of (against 151) and 28 left pending against 30 at the end of the previous year. In the Shimoga Sessions Court 54 appeals against 58 were disposed of and only 1 against 3 was left pending. The details are given in the statement below:—

Courts	For disposal		Disposed of		Pending	
	Cases	Persons	Cases	Persons	Cases	Persons
SESSIONS COURTS.						
Bangalore Division ...	260	366	234	293	26	73
Mysore Division ...	229	298	201	231	28	67
Shimoga do ...	55	60	54	59	1	1
Total ...	544	724	489	583	55	141
DISTRICT MAGISTRATES AND OTHER MAGISTRATES.						
Bangalore District ...	26	32	24	28	2	4
Kolar do ...	45	53	42	48	3	5
Tumkur do ...	20	24	18	19	2	5
Mysore do ...	10	26	10	26	...	...
Hassan do ...	31	41	30	38	1	3
Shimoga do ...	46	54	43	50	3	4
Kadur do ...	11	22	10	21	1	1
Chitaldrug do ...	9	15	6	8	3	7
Total ...	198	267	183	238	15	29
Grant Total ...	742	991	672	821	70	170

(ii) *Average Duration*.—The average duration of appeals disposed of by Sessions Judges was 41·1 days against 40·4 in the previous year. In Bangalore, the average was 16·2 days (against 36·4 in 1937-38 and 125·5 in 1936-37) which is creditable. In Mysore it was 75·8 days (against 53·4); and in Shimoga it was 20·12 (against 28·3) days. The average duration of appeals disposed of in the Magistrates' Courts was 30·3 days (against 30·9 days in the previous year and 35·68 in 1936-37), showing continued improvement.

15. Revision.

(Vide Statement No. 6 and Special Statement No. 2).

(i) The number of Revision Petitions pending before Sessions Judges and District Magistrates at the beginning of the year was 7 and 21, respectively. The number received during the year was 206 (89 in Sessions Courts and 117 in District Magistrates' Courts). Out of 234 petitions relating to 658 persons for disposal, 82 relating to 271 persons were disposed of by Sessions Judges and 121 relating to 271 persons by the District Magistrates. The number of petitions pending at the end of the year in Sessions Courts was 14, relating to 63 persons (against 7 relating to 51 persons) and in the District Magistrates' Courts 17 relating to 53 persons (against 21 relating to 35 persons).

(ii) *Average Duration*.—The average duration of Revision Petitions disposed of by the Sessions Judges was 84·8 days, while in the District Magistrates' Courts it was 60·3 (against 97·9 and 63·8 respectively). It is satisfactory to note that the average duration in the Bangalore Sessions Court was reduced from 135·7 in 1937-38 and 216·1 in 1936-37 to 42·5 days in the year under report. In the Mysore Sessions Court it rose almost cent per cent from 67·7 to 125·6 days which is abnormally high and not at all satisfactory.

16. Punishments.

(Vide Statement No. 5).

Two persons were sentenced to death by Sessions Judges against four in the previous year, and 20 persons (against 25 in the previous year) were sentenced to transportation for life.

Of 2,087 persons imprisoned (against 2,244 in the previous year) 1,858 or 89·1 per cent (against 1,990 or 88·6 per cent) were sentenced to imprisonment for six months and under, and 229 or 10·9 per cent (against 254 or 11·3 per cent) for longer periods.

The number of persons fined was 21,878 against 20,680 in the previous year. The total amounts of fines imposed and realized were respectively Rs. 86,071-8-9 and Rs. 60,612-10-1 (against Rs. 82,044-2-4 and Rs. 64,439-10-1 in the previous year). The amount of compensation paid was Rs. 1,507-0-0 against Rs. 2,109-8-0 in 1937-38.

PART III.

1. Records.

All the District Magistrates report that the work of sorting and destroying records was being attended to. The statement given below shows the number received and dealt with during the year in the District Record Rooms:—

Districts			Number of records received during the year	Number of time-barred records destroyed during the year	Remarks
Bangalore	...	...	9,485	4,115	340 records sorted for destruction.
Kolar	...	...	3,258	3,647	
Tumkur	...	...	1,502	...	
Mysore	...	...	7,040	5,011	
Hassan	...	...	2,883	2,183	
Shimoga	...	...	1,935	1,560	
Kadur	...	...	1,497	110	
Chitaldrug	...	...	1,717	1,610	
Total			29,317	18,236	

As seen from the statement 29,317 records were received in the District Record Rooms during the year under report and 18,236 time-expired records were destroyed. The number of such records destroyed in the Kadur District Record Room is only 110, while in Tumkur not a single record was destroyed. During successive inspections of the District Magistrate's Court at Tumkur it was found that the work in the Record Room was falling into arrears from 1931-32 as no official was deputed to deal with Judicial Records. The Record-keeper in charge of the Revenue records was also in charge of the Judicial records and could not cope with the work. An additional hand has recently been sanctioned for a period of six months to deal with these records and it is hoped that before the expiry of his term he will clear of the arrears.

2. Verification of Stock.

All the District Magistrates report that the Stock Registers have been properly maintained in their Courts and also in the Courts subordinate to them and that no deficiency nor excess was noticed on inspection.

3. Inspections.

The District Magistrates inspected all the subordinate Criminal Courts in their Districts except the Courts of the *Ex-officio* First Class Magistrates of Bangalore and Doddballapur in Bangalore District and the Courts of the *Ex-officio* First Class Magistrates at Gubbi and Tumkur in Tumkur District. The Judges of the High Court inspected all the Sessions Courts and 12 Magistrates' Courts (7 District Magistrates' Courts and 5 Special Magistrates' Courts) during the year. The notes of inspection submitted to the High Court by the District Magistrates on the Criminal Courts subordinate to them were scrutinised and directions were given to remedy the defects noticed and to improve the work of the Courts concerned.

Rented Building.

The following five Courts were accommodated in rented buildings:—

				Monthly rent,
				Rs.
1.	Special First Class Magistrate's Court,	Tiptur	...	30
2.	Do	do	Nanjangud	40
3.	First Magistrate's Court,	Shimoga	...	75
4.	Special First Class Magistrate's Court,	Sagar	...	30
5.	Do	do	Davangere	40

5. General.

In the Sessions Courts there was an increase in the number of Sessions Cases for trial and a corresponding increase in the number of cases disposed of. The disposal of work in Magistrates' Courts was generally more prompt than before, with the result that the average duration of cases disposed of was considerably reduced; but the record of those Courts was spoilt again by the large number of cases which were left unfinished though more than six months old.

T. SHAMIENGAR,

Registrar.

STATEMENT "A"—Statement showing the result of Heinous Offences in the Mysore State during the year 1938-39.

Year	District	Giving false evidence		Murder		Culpable homicide not amounting to murder		Grievous hurt		Rape		Theft		Cattle Theft		Robbery		Dacoity		Receiving stolen property		Remarks
		Cases	Persons	Cases	Persons	Cases	Persons	Cases	Persons	Cases	Persons	Cases	Persons	Cases	Persons	Cases	Persons	Cases	Persons	Cases	Persons	
1937-88	Bangalore District	4	4	7	7	...	...	10	15	...	...	362	408	...	...	4	4	...	...	4	4	
1938-39	Bangalore District	6	6	4	4	...	...	32	59	...	...	311	378	...	...	1	2	...	...	1	1	
1937-88	Kolar do	4	4	4	4	1	1	31	47	4	4	585	964	36	36	3	11	2	15	...	...	
1938-39	Kolar do	1	1	10	14	4	4	44	66	2	2	523	781	41	52	5	15	...	...	4	4	
1937-88	Tumkur do	...	...	2	15	2	3	15	41	...	...	211	399	34	55	5	10	4	16	7	7	
1938-39	Tumkur do	7	7	16	...	...	...	29	76	1	1	178	381	40	56	1	3	6	37	2	4	
1937-88	Mysore do	13	13	25	71	4	4	175	507	...	...	468	809	13	21	20	55	...	...	...	...	
1938-39	Mysore do	9	9	11	60	5	5	184	568	1	1	417	703	10	17	5	19	1	5	18	27	
1937-88	Hassan do	3	3	9	15	4	5	50	131	1	1	171	294	22	32	1	2	...	...	6	6	
1938-39	Hassan do	...	...	7	10	1	1	186	499	1	1	240	387	21	36	2	10	...	...	1	7	
1937-88	Shimoga do	5	5	3	3	...	...	5	6	...	...	67	92	4	7	1	3	...	...	...	...	
1938-39	Shimoga do	2	3	1	1	...	...	3	4	...	...	76	101	6	6	2	4	...	...	...	...	
1937-88	Kadur do	6	6	16	29	...	...	9	42	...	...	114	283	...	...	10	47	...	...	...	...	
1938-39	Kadur do	6	7	4	4	...	...	12	38	...	...	138	300	...	...	9	51	...	...	2	3	
1937-88	Chitaldrug do	7	7	...	...	...	...	7	18	...	...	55	75	...	...	...	...	...	...	2	2	
1938-39	Chitaldrug do	...	...	2	2	...	...	11	21	...	...	32	42	...	...	...	...	...	...	3	3	
1937-88	Total	42	42	66	144	11	16	302	807	5	5	2,033	3,319	109	151	44	132	6	31	30	41	
1938-39	Total	31	33	46	111	10	10	501	1,331	5	5	1,910	3,068	118	167	25	104	7	42	19	26	

STATEMENT "B"—Statement showing the Original Regular Work in the Courts of the District Magistrates, Stipendiary Magistrates and Benches of Honorary Magistrates during the year 1938-39.

District	District Magistrates			Stipendiary Magistrates			Benches of Honorary Magistrates			Remarks
	For disposal	Disposed of	Pending	For disposal	Disposed of	Pending	For disposal	Disposed of	Pending	
1	2	3	4	5	6	7	8	9	10	
Bangalore	1	1	...	9,342	8,444	898	677	514	163	
Kolar	1	1	...	3,047	2,924	123	395	358	37	
Tumkur	2	2	...	2,122	1,855	267	144	143	1	
Mysore	2	2	...	8,392	7,864	528	...	...	...	
Hassan	1	1	...	1,115	953	162	2,356	2,196	160	
Shimoga	9	9	...	2,325	2,020	305	...	...	...	
Kadur	2	2	...	1,127	1,010	117	235	215	20	
Chitaldrug	2	2	...	1,440	1,335	105	...	...	...	
Total	20	20	...	28,910	26,405	2,505	3,807	3,426	381	

JUDICIAL STATEMENT No. I—(Criminal).

Statement showing the number of Judicial Divisions and the number of officers exercising Appellate or Original Jurisdiction in the Mysore State on the last day of the year 1938-39, with cost of tribunals.

Name of Division	Area	Population	Number of Divisions for Courts under High Court, but superior to Chief Courts of Districts	Number of Districts	Number of Sub-Districts	Total number of officers exercising Original or Appellate Jurisdiction					Total number of cases decided				Total Receipts of the Courts	Total Charges of the Courts	Remarks
						Judges of High Court	Judges of other Courts superior to Chief District Courts	Judges of Chief Courts of Districts	Judges of District Courts other than the High Court	Judges of other Subordinate Courts	Originals		Appeals				
											Regular	Miscellaneous	Regular	Miscellaneous			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Bangalore Division ...	...	...	1	3	...	...	2	3	...	26	14,301	499	318	18	Rs. a. p. 43,362 5 9	Rs. a. p. 91,943 12 5	
Mysore Division ...	...	...	1	2	...	...	1	2	...	18	11,040	239	241	18	24,921 14 9	57,201 5 8	
Shimoga Division ...	...	...	1	3	...	...	1	3	...	10	4,617	185	113	7	18,594 15 1	56,875 0 5	
High Court ...	...	...	...	...	...	4	...	...	...	...	...	...	38	462	...	...	
Total ...	29,312 sq. miles.	64,23,189	3	8	...	4	4	8	...	54	29,958	923	710	505	86,879 3 7	2,06,020 2 6	

ANNUAL JUDICIAL STATEMENT No. 2--(Criminal).

Statement of offences reported and cases acquitted of each class of offence in the Mysore State in the year 1938-39.

Description of offences	Number of offences reported	Number of cases returned as true	Number of cases brought to trial during the year	Number of persons					Struck off under C. L. 144	Dealt with under Section 562, Cr. P. C.	Remaining under trial	Remarks
				Under trial during the year including pending from previous year *	Acquitted or discharged	Convicted	Died, escaped or transferred to another province †					
			4	5		7	8	9	10	11	12	
Offences against the State, Chapter VI of the Indian Penal Code ...	4	4	4	4	...	2	...	...	...	2		
Do relating to the Army and Navy Chapter VII ...	...	...	...	...	...	...	...	...	...	...		
Do against the public tranquillity do VIII ...	423	412	412	2,884	1,211	687	29	8	9	890		
Do by or relating to public servants do IX ...	16	16	16	41	9	3	...	...	...	29		
Contempts of the lawful authority of public servants do X ...	109	108	108	125	37	47	1	8	4	28		
False evidence and offences against public justice do XI ...	102	97	97	118-1	50-1	27	2	2	9	28		
Offences relating to coin and Government stamps do XII ...	7	7	7	9	4	2	...	...	...	8		
Do relating to weights and measures do XIII ...	78	70	70	71	8	55	1	5	...	2		
Do affecting the public health, safety, convenience, decency and morals do XIV ...	41	38	38	82	46	24	8	...	...	4		
Do relating to religion do XV ...	14	14	14	54	40	9	...	...	...	5		
Offences affecting life ...	211	205	205	463-183	200-114	83-51	10-1	13	15-1	140-14	-2 referred.	
Causing of miscarriage, injuries to unborn children, exposure of infants and the concealment of births ...	2	2	2	3	1	2	...	...	...	...		
Hurt ...	1,952	1,855	1,855	5,550-19	3,991-6	281-4	27	17	11	1223-9		
Offences affecting the human body, Chapter XVI. Wrongful restraint and wrongful confinement ...	182	114	114	382	249	16	...	...	2	115		
Criminal force and assault ...	1,422	1,365	1,365	3,859	2,628	112	5	3	12	599		
Kidnapping, forcible abduction, slavery and forced labour ...	68	55	55	179-17	103-10	20-5	1	1	1	53-2		
Rape ...	13	11	11	15-5	7-3	2-1	...	...	1	5-1		
Unnatural offences ...	2	2	2	2	1	...	...	1	...	...		
Theft ...	3,441	2,870	2,870	5,011-27	1,940-7	1,584-7	69	27	361	1023-6	-7 referred.	
Extortion ...	21	21	21	36	28	6	...	...	...	2		
Robbery and dacoity ...	80	69	69	308	181	22	...	...	...	104		
Criminal misappropriation of property ...	11	9	9	63-45	33-19	4-3	...	...	...	23-23		
Offences against property, Chapter XVII. Criminal breach of trust ...	476	455	455	534	175	144	6	3	32	151		
Receiving of stolen property ...	80	60	60	112	45	34	...	2	1	29		
Cheating ...	201	192	192	357	202	42	6	8	3	96		
Fraudulent deeds and disposition of property. Mischief ...	3	3	3	6	3	...	...	...	...	3		
Criminal trespass ...	224	197	197	454-4	328-3	8	2	...	...	115-1		
Offences relating to documents and to trade or property marks Chapter XVIII ...	963	804	804	2,248	1,353	247	13	4	63	568		
Criminal breach of contracts of service do XIX ...	45	43	43	81-9	44-5	21-1	1-1	1	...	14-2		
Offences relating to marriage do XX ...	...	...	...	...	...	...	...	...	...	...		
Defamation do XXI ...	38	38	38	72	48	2	...	...	...	22		
Criminal intimidation, insult and annoyance do XXII ...	116	109	109	372	282	7	2	...	...	81		
Offences under special and local laws ...	784	727	727	1,826	1,473	131	5	...	...	217		
	22,579	22,423	22,423	25,017-1	3,258	20,302	94	190	7-1	1166		
Grand Total	33,653	32,395	32,395	49,788-311	17,978-168	23,926-72	282-2	321	532-2	6,740-58	-9 referred.	

The figures indicated by—sign relate to Sessions Courts and they have been included in the totals.

ANNUAL JUDICIAL STATEMENT No. 3—(Criminal).

Statement of Miscellaneous Proceedings under the Criminal Procedure Code in the Mysore State during 1938-39.

Nature of Proceedings	Total number of cases before the Courts during the year	Number of persons concerned	Number of persons discharged	Number of persons convicted	Pending	Remarks
1	2	3	4	5	6	7
1. Frivolous or vexatious complaints, summarily dealt with under Chapter XX Section 250 ...	8	8	1	7	...	
2. Proceedings against witnesses under Chapter IV (c) and Section 485 ...	...	...	...	...	...	
3. Forfeiture of bail or recognizance under Chapter XLII ...	106	258	124	111	28	
3a. Proceedings under Section 100 Cr. P. C. ...	...	...	...	...	...	
4. Non-attendance of Jurors or Assessors, Chapter XXIII... ..	6	7	5	2	...	
5. Contempt of Courts under Chapter XXXV and sanction to prosecute Sec. 195 Cr. P. C....	4	5	8	1	1	
6. Proceedings under Chapter VIII to prevent breach of the peace ...	50	217	180	31	50	
7. Security for good behaviour under Chapter VIII ...	108	216	120	30	16	
8. Proceedings against local nuisances, Chapter XX ...	4	14	14	...	...	
9. Possessions, Chapter XII ...	274	1,222	674	218	885	
10. Proceedings under Section 88 Cr. P. C. ...	...	...	...	...	...	
11. Maintenance, Chapter XXXVI ...	77	82	50	8	24	
12. Proceedings under Section 563 Cr. P. C. ...	1	1	...	1	...	
13. Proceedings on complaint under Breach of Contract Act ...	...	...	...	...	...	
14. Proceedings under Lunacy Act ...	178	179	31	143	5	
15. Proceedings under Sections 516, 517, 518 and 523 of Cr. P. C. ...	4	4	1	3	...	
16. Proceedings under Section 528 Cr. P. C. ...	481	208	100	100	2	
17. Bail applications (Section 497 and 498 Cr. P. C.) ...	9	14	6	8	...	
18. Application against Notice of demand issued under Section 86 of the Mysore Municipal Act.	12	14	9	1	4	
19. Criminal Tribes Act ...	4	4	3	1	...	
20. Proceedings under the Mysore Securities Act ...	1	8	...	...	3	
21. Proceedings under Lepers Act ...	...	...	...	...	...	
22. Proceedings under Sections 144 and 147 Cr. P. C. ...	14	45	6	39	...	
23. Proceedings under Section 552 and 556 Cr. P. C. ...	4	12	10	2	...	
24. Proceedings under Extradition Act... ..	5	6	3	3	...	
25. Proceedings under Police Act ...	2	12	...	12	...	
26. Proceedings under Railway Act ...	22	26	4	22	...	
27. Proceedings under Section 123, C.Cr. P. ...	1	1	1	...	...	
28. Proceedings under Land Acquisition Act ...	1	33	33	...	...	
29. Proceedings under Section 386, C.Cr. P. ...	2	2	2	...	...	
*Total ...	1,078	2,598	1,342	788	463	
*This includes Sessions Courts figures, viz. ...	46	180	91	87	2	

ANNUAL JUDICIAL STATEMENT No. 4—(Criminal).

Statement showing the General Result of Criminal Trial in the tribunals of various classes in the Mysore State during the year 1938-39.

Class of Courts	Total number of persons under trial	Persons whose cases were disposed of					Persons remaining under trial at the end of the year	Dealt with under Section 502, Cr. P. C.	Struck off	Number of cases disposed of during the year	Average number of days during which each case lasted	Number of witnesses examined	Remarks
		Died, escaped or transferred to another Province	Discharged or acquitted	Convicted		Committed or referred							
				On regular trial	On summary								
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Stipendiary Magistrates	44,503	260	16,215	7,232	13,886	290	5,858	460	302	26,405	40.4	50,111	
Benches of Magistrates	5,234	18	1,589	2,711	5	...	321	68	19	3,426	36.8	4,227	
Chief Magistrates of Districts	81	2	6	18	2	1	...	2	...	20	26.6	120	
Courts of Sessions†	311	2	168	72	...	9	58	2	...	107	51	1,699	
	50,079	282	17,978	10,033	13,893	300	6,740	532	321	29,958	40.0	56,157	

ANNUAL JUDICIAL STATEMENT No. 5—(Criminal).

Statement showing the punishment inflicted by the various Criminal Tribunals in the Mysore State in the year 1938-39.

Class of Tribunal	Persons sentenced to								Persons ordered to be fined or give security to keep the peace or for good behaviour	Persons imprisoned in default of security for good behaviour	Details of Punishment																	Number of boys whose sentence was committed to detention in a Reformatory School			
	Death	Transportation	Penal servitude	Imprisonment		Forfeiture of property	Fine	Whipping										Imprisonments					Whipped								
				Rigorous	Simple																										
											Rs. 10 and under	Rs. 50 and under	Rs. 100 and under	Rs. 500 and under	Rs. 1,000 and under	Above Rs. 1,000	Total amount of fine imposed during the year	Total amount of fine realized during the year*	Amount paid by way of compensation	15 days and under	6 months and under	2 years and under	7 years and under	Above 7 years	10 stripes and under	20 stripes and under	30 stripes and under				
	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29			
Special Magistrates	...	...	...	1,621	239	...	19,311	12	62	15	18,112	1,024	159	15	1	...	Rs. a p. 82,131 1 9	Rs. a p. 57,698 4 1	Rs. a p. 1,421 0 0	344	1,330	185	1	...	11	1	...	...			
Bench Magistrates	...	...	...	117	52	...	2,551	...	...	...	2,538	12	1	...	...	...	2,540 7 0	2,260 14 0	86 0 0	120	49	...	...	...	...	...	...	...			
District Magistrates	...	...	...	10	...	...	10	...	...	...	...	9	1	...	...	...	925 0 0	328 8 0		1	2	7	...	...	...	...	...	...			
Sessions Courts	...	2	20	45	3	...	6	...	...	...	...	1	5	...	...	...	475 0 0	325 0 0		1	11	9	26	1	...	...	...	...			
	...	2	20	1,793	294	...	21,878	12	62	15	20,650	1,046	166	15	1	...	86,071 8 9	60,612 10 1	1,507 0 0	466	1,392	201	27	1	11	1	...	...			

ANNUAL JUDICIAL STATEMENT No. 6—(Criminal).

Statement showing the Result of Appeals and Revision in Criminal Cases in the Mysore State in the year 1938-39.

Tribunals	Number of persons											Average number of days during which appeal lasted	Remarks
	Total number of appellants and applicants for revision before the Court	Died, escaped, or transferred to another Province	Appeals or applications rejected	Sentence or order confirmed	Sentence enhanced	Sentence reduced or otherwise altered	Sentence reversed	Proceedings quashed	New trial or further enquiry ordered	Referred for revision to the High Court	Pending trial		
1	2	3	4	5	6	7	8	9	10	11	12	13	14
APPEALS.													
To Chief Magistrates of Districts	267	...	1	119	...	33	81	...	4	...	29	30'3	
To Courts of Sessions	724	...	1	313	...	115	140	...	14	...	141	41'1	
{ By persons convicted	46	...	...	26	...	3	15	...	1	...	1	} 26'4	
{ By Government from judgment of acquittal.	5	...	...	3	...	...	2	...	...	...	...		
Total	1,042	...	2	461	...	151	238	...	19	...	171	37'5	
REVISION.													
By Chief Magistrates of Districts	325	1	24	138	...	25	2	...	77	5	53	60'3	
By Courts of Sessions	334	...	1	204	...	8	12	...	46	...	63	94'8	
By the High Court	821	...	212	158	6	38	209	1	48	...	149	...	
Grand total	1,480	1	237	500	6	71	223	1	171	5	265	...	

ANNUAL JUDICIAL STATEMENT No. 13—(Criminal).

Statement showing the use of Jurors and Assessors in Criminal Courts in the Mysore State in the year 1938-39.

CR.

Classes of Courts in which Jurors or Assessors were employed, distin- guishing Civil from Criminal Courts	Established or average number of Jury or Assessors in each case and prescribed qualifications	Number of cases tried by Jury	Number of cases tried with the aid of Assessors	Jury trials					Assessors, trials			Remarks	
				Cases in which the Judge approved of the verdict	Cases in which the Judge did not approve of the verdict		Number of persons of the verdict in respect of whom the Judge disapproved		Number of cases in which the Judge agreed with the Assessors	Number of cases in which Judge differed from			
					Wholly	Partly	Whose cases he referred under Section 307, C. Cr. P.	Whose cases he did not refer under Section 307, C. Cr. P.		One Assessor	Two Assessors		All Assessors
1	2	3	4	5	6	7	8	9	10	11	12	13	14
COURTS OF SESSION.													
Bangalore Division.—													
Sessions Court	Assessors	3	33	3	...	...	...	...	22	5	1	5	
Additional Sessions Court	Jurors	5	...	...	...	...	...	...	...	...	...	...	
Assistant Do	Assessors	3	2	...	...	...	...	...	2	...	...	...	
	Jurors	7	...	...	...	...	...	...	...	...	...	...	
Mysore Division.—													
Sessions Court	Assessors	3	14	1	...	...	...	...	14	...	...	...	
Assistant Sessions Court	Jurors	7	...	...	...	...	...	...	2	...	...	...	
Additional Asst. Do	Jurors	7	2	4	...	...	...	...	...	...	...	...	
Shimoga Division.—													
Sessions Court	Assessors	3	20	1	...	...	...	...	13	5	...	2	
Assistant Sessions Court	Jurors	5	...	1	1	...	...	...	...	...	...	...	
	Total	11	71	10	1	...	...	...	53	10	1	7	

SPECIAL STATEMENT No. 1.

Statement showing the institution and disposal of possession cases, etc., in the State of Mysore during the year 1938-39.

Serial No.	Kinds of cases	Number pending at the beginning of the year	No. of cases instituted during the year			Disposed of	Pending at the end of the year	Average duration	Remarks
			By private parties	By police	Total for disposal				
1	2	3	4	5	6	7	8	9	10
1	Possession cases ...	82	138	54	274	187	87	112.4	
2	Security cases (Breach of Peace).	11	5	34	50	40	10	86.9	
3	Security cases (Good behaviour).	24	15	69	108	98	10	76.6	
	Total ...	117	158	157	432	325	107	98.5	

SPECIAL STATEMENT No. 2.

Statement showing the institution and disposal of Revision Cases in the Province of Mysore, during the year 1938-39.

Name of the Court	No. of cases pending at the beginning of the year	No. of cases instituted during the year	Total for disposal	Disposed of during the year	Average duration	Pending at the end of the year	Remarks
1	2	3	4	5	6	7	8
SESSIONS COURTS.							
Bangalore Division ...	1	33	34	28	42.5	6	
Mysore do ...	6	44	50	43	125.6	7	
Shimoga do ...	...	12	12	11	33.54	1	
Total ...	7	89	96	82	84.8	14	
DISTRICT MAGISTRATES.							
Bangalore ...	6	24	30	28	75.05	2	
Kolar ...	2	13	15	12	63.6	3	
Tumkur ...	8	21	29	26	60.4	3	
Mysore ...	4	22	26	23	72.4	3	
Hassan ...	...	13	13	12	30.0	1	
Shimoga ...	...	6	6	6	61.5	...	
Kadur ...	1	7	8	6	28.0	2	
Chitaldrug ...	...	11	11	8	38.5	3	
Total ...	21	117	138	121	60.3	17	
Grand Total ...	28	206	234	203	70.2	31	

Statement showing the number of Juvenile Offenders brought before the Courts, and how they were dealt with in the State of Mysore during the year 1938-39.

Names of Courts				Number brought before the Courts	Number convicted	How they were dealt with				Discharged or acquitted
						Fined	Imprisoned	Dealt with under Section 562, Cr. P. C.	Whipping	
1				2	3	4	5	6	7	8
Sessions Court, Bangalore				1	1	...	...	1	...	...
Do Mysore				1	1	...	...	1	...	...
Do Shimoga				...	...	...	...	...	...	...
Total				2	2	...	...	2	...	...
Districts—Bangalore				91	83	4	29	50	...	8
Kolar				67	53	10	19	24	...	14
Tumkur				23	14	1	2	11	...	9
Mysore				48	42	20	2	8	12	6
Hassan				...	...	...	...	...	...	...
Shimoga				25	19	3	9	7	...	6
Kadur				17	15	7	2	6	...	2
Chitaldrug				...	...	...	...	...	...	...
Total				271	226	45	63	106	12	45

Special Statement relating to Special and Local Laws for 1938-39.

Special and Local Laws	No. of offences reported	No. returned as true	No. of cases brought to trial	Persons					Struck off	Pending
				Under trial during the year	Acquitted or discharged	Convicted	Died, etc.	Dealt with under Sec. 502, Cr. P. C.		
1. Offences under the Motor Vehicles Act	2,727	2,720	2,720	3,000	457	2,402	15	...	80	98
2. Do Police Act	9,948	9,938	9,938	11,312	534	0,466	16	...	26	270
3. Do Excise Act	399	399	399	478	76	353	1	...	2	46
4. Do Forest Act	266	179	179	839	229	55	1	...	...	54
5. Do Explosives Act	17	17	17	19	6	13	...	...	...	...
6. Do Arms do	207	206	206	214	34	156	...	2	1	41
7. Do Criminal Tribes Act	167	161	161	175	40	100	1	2	11	41
8. Do Municipal Act	1,448	1,436	1,436	1,488	606	824	4	...	2	62
9. Do Railways Act	108	105	105	115	12	100	1	1	1	...
10. Do Village Panchayet Act	75	75	75	97	47	30	2	...	1	17
11. Do Public Conveyance Act	2,733	2,733	2,733	2,856	626	1,914	1	...	62	263
12. Do Village Police Rules	2,004	2,004	2,004	2,052	94	1,857	...	...	8	98
13. Do Cattle Trespass Act	17	15	15	43	24	...	1	...	2	16
14. Do Mysore Road Traffic and Motor Taxes Act.	1,268	1,265	1,265	1,496	304	1,047	29	...	89	77
15. Offences under the Copy Right Act	1	1	1	1	1	...	...	...	...	...
16. Do Juvenile Smoking Act	1	1	1	1	...	1	...	...	...	...
17. Do Game and Fish Preservation Act.	15	15	15	34	1	23	1	...	...	9
18. Offences under the Prevention of Cruelty to Animals.	370	370	370	411	...	409	...	...	2	...
19. Offences under the Insolvency Act	...	...	...	...	...	...	...	...	...	...
20. Do Co-operative Societies Act	...	...	...	...	...	...	...	...	...	...
21. Do Petroleum Act	20	20	20	22	11	9	...	...	2	...
22. Do Mines Act	64	64	64	70	4	64	2	...	...	...
23. Do Indian Post Office Act	2	2	2	2	1	...	...	1	...	...
24. Do Weights and Measures Act...	108	108	108	127	3	123	...	...	...	1
25. Do Cinematograph Act	4	4	4	4	3	1	...	...	...	...
26. Do Irrigation Act	114	114	114	145	8	9	15	...	...	113
27. Do Companies Act	4	4	4	4	...	4	...	...	...	...
28. Do Factories Act	9	9	9	15	...	14	...	...	...	1
29. Do Opium Act	4	4	4	7	4	2	...	...	1	...
30. Do Prevention of Adulteration.	88	88	88	88	11	77	...	...	...	...
31. Do Talukkhana Act	...	...	...	...	...	...	...	...	...	...
32. Do Amusement Tax Act	...	...	...	...	...	...	...	...	...	...
33. Do Counterfeit Coins	...	...	...	...	...	...	...	...	...	...
34. Do Boilers Act	2	2	2	3	1	2	...	...	...	...
35. Do Infant Marriage Prevention Act.	1	1	1	3	...	3	...	...	...	...
36. Offences under the Press Act	1	1	1	1	...	1	...	...	...	...
37. Offences under the Compulsory Vaccination Rules.	27	6	6	9	1	6	2	...	...	...
38. Offences under the Treasure Trove Act	...	...	...	...	...	...	...	...	...	...
39. Do Epidemic Act	40	40	40	40	9	16	...	...	...	15
40. Do Veterinary Act	6	6	6	10	6	...	...	...	...	4
41. Do District Boards Act	2	2	2	4	3	1	...	...	...	...
42. Do Sanitary Board Byelaws	204	204	204	205	41	157	...	...	...	7
43. Do Cattle contagious diseases Act	13	13	13	13	9	4	...	...	...	...
44. Do High Way Act	87	87	87	87	23	59	...	...	...	...
45. Do Village Sanitation Rules	2	2	2	24	24	...	...	...	...	...
46. Do Amritmahal Naval Act	9	...	...	...	...	...	...	...	...	...
47. Do Extradition Act	2	2	2	2	...	...	...	...	...	...
Total	22,579	22,423	22,423	25,016	...	20,802	94	6	196	1,166

T. SHAMIENGAR,
Registrar.

SUBJECT

Diary. No. of letter replied to.....

General and Revenue Secretariat

()
the 193

Date of issue.....193

Signed by

May this be—

- (i) printed ?
- (ii) treated as a standing order ?
- (iii) published in the Gazette,
English Part ?
- (iv) translated ?
- (v) placed at the disposal of the press ?
- (vi) published in the Gazette,
Kannada Part ?

Section *cls*

File No. *104-40*

Serial No. *4*

*Proceedings of the Government of
His Highness the Maharaja of Mysore.*

Read—

Letters No P37/39-40 of 29.10.1940
— from the Registrar
High Court of Mysore
forwarding the Report on
the Administration of Criminal
Justice in Mysore for the Year

~~Order thereon.~~ No. *1939-40.*

Order

of

(1) Recorded

*(2) Excluding the Courts
of the Ex-Officio Magistrates*

the number of Courts exercising original jurisdiction at the end of the year under review was seventy-two (against sixty-nine at the end of the previous year) including fourteen Benches of Magistrates and seven Justices of the Peace.

page 8 of

(2) Offences Reported:-

The total number of offences reported rose from 33,653 in the previous year to 36,230 in the year under review with a corresponding increase in the number of cases "returned as true"

page 11
report

List of Enclosure

Viz 35,244 against 32,395

page 12 of the report
Copied by

There was also an increase in

Examined by

the number of persons brought to trial viz 53,877 against 49,477 in the year 1938-39.

GENERAL AND REVENUE
SECRETARIAT.

(Continuation sheet draft form.)

(3) Magisterial Work:

There was an increase in the number of cases for disposal in the Courts of the Stipendiary Magistrates other than District Magistrates as also in the number of persons dealt with by these Courts. These Magistrates (~~Stipendiary Magistrates other than Dist. Magistrates~~) had before them 32767 (28910) cases in respect of 49825 (44503) persons during the year under review.

Statement No 4
& 'B'

It is satisfactory to note that in spite of the increase of work in these Courts, the disposal of cases by the Magistrates was better than in the previous year and the number of cases left pending was 2249 (2505).

page 15

There was however a decrease in the number of cases for disposal by the Benches of Honorary Magistrates viz 2844 (3807) and also in the number of cases disposed of during the year under review. They disposed of 2590 cases (3426) ^{were disposed of} leaving a balance of 254 (381) cases.

~~No case was left pending at the end of the year under review in the Courts of the District Magistrates~~

4. Average duration

It is satisfactory to note that there has been a continued improvement in the Courts of the Stipendiary Magistrates ~~other than District Magistrates~~

GENERAL AND REVENUE
SECRETARIAT.

(Continuation sheet draft form.)

in respect of the average
duration of criminal trials.
viz 37.7 days against 40.4
days in 1938-39 and 52.1
days 1937-38. The average
duration of cases in the
Courts of the Dist Magistrates
and the Benches of
Honorary Magistrates was
however on the increase.

(5) Cases over six months old:

Govt are glad to note
that the number of regular
cases over six months old
left pending at the end
of the year under review
was reduced from 336
in the previous year to
112 and they hope that every
endeavour will be made to
reduce the pending file

still further. It is unsatisfactory
for however
to note that most of the

Page 17

Bench Courts are not working in a business like way. The Dist. Magistrates of districts are requested to issue necessary instructions in this behalf.

(6) Miscellaneous proceedings:-

There was a slight increase in the number of Miscellaneous proceedings before the Magistrates viz 1138 (1032) concerning 2306 ~~persons~~ (2413) persons. The largest number of cases related to disputes regarding immovable property (Chapter XII, Code of Criminal Procedure namely 266 (274) cases concerning 955 (1233) persons. The attention of the Magistrates is drawn to the observations made by Govt from time to time in this ~~subject~~ ^{matter} while

GENERAL AND REVENUE
SECRETARIAT.

(Continuation sheet draft form.)

Page 22

Reviewing the reports on
the Administration of Criminal
Justice during the previous years.

(2) Juvenile Offenders:-

The number of Juvenile
Offenders brought before
the Magistrates' Courts rose
from 271 in the previous year
to 357 during the year under
review. The number imprisoned
was 89, against 63 in the
previous year. The number
imprisoned is ^{very} high and Govt
trust that the Dist. Magistrates
of Districts will in future
examine such cases with
a view to ascertain as to
whether the provisions regarding
first Offenders could not
be more liberally applied in
such cases.

(8) Sessions Work:-

There was an increase in the number of Sessions Cases for disposal viz 180 Cases (128) involving 506 (311) persons. The disposals kept pace with the institutions and of 180 Cases for disposal, 145 (~~128~~) Cases were disposed of leaving a balance of 35 (19) Cases for disposal. The Sessions Court, Mysore Division contributed mainly to the increase in the number of Cases left pending at the end of the year under review. The average duration of Sessions Cases was 58.19 days ~~against~~ (51) days.

Page: 4

(9) Appeals:-

The appellate work of the Sessions Judges continued to be very heavy. The number of

GENERAL AND REVENUE
SECRETARIAT.

— page 28
(Continuation sheet draft form.)

page 29

appeals for disposal before
the Sessions Judges was
540 (544) and of these,
480 appeals (489) were
disposed of leaving a
balance of 60 appeals (55)
for disposal at the end of
the year under ^{review} ~~report~~. There
was an improvement in the
average duration of appeals
disposed of by Sessions judges
viz 36.04 (41.1) days.

page 28

There was a slight ^{increase} ~~decrease~~
in the number of appeals
for disposal ~~before the Sessions Judges~~
in the Courts of the Magistrates
214 (198) appeals preferred by
385 (267) persons were before
the Magistrates. Of these, 204 (183)
appeals relating to 372 (278)
persons were disposed of, leaving
10 ~~appeals~~ (15) appeals relating
to 13 (29) persons pending at

page 28

The end of the year under
review.

It is satisfactory to note
~~that~~ The appellate work was
satisfactorily up to date except
in the Sessions Court Mysore
Division.

~~The average duration of
appeals disposed of by sessions
judges and magistrates
was 36.04 (41.9) and 31.26 (20.3) days respectively.~~

The average duration of
appeals disposed of by sessions
Judges and Magistrates
was 36.04 (41.9) and 31.26
31.26 (20.3) days respectively.

(D) High Court.

It is gratifying to note
that all the appeals viz 75
which were before the
High Court were disposed of

GENERAL AND REVENUE
SECRETARIAT.

(Continuation sheet draft form.)

Page 3

Page 7

during the year under review and no appeal was left pending at the end of the year. The average duration of the appeals disposed of by the High Court was 28.4 (26.44) days. Govt. were with satisfaction that though there was an increase of work on the Criminal side in the High Court, ~~more~~ the disposal kept pace with the work on hand and the cases left unfinished at the end of the year were less than ever before.

(1) Inspections :-

The District Magistrates of ~~Districts~~ inspected all the subordinate criminal

Courts in their districts

Except one Bench Court in
the Bangalore Dist and
the Court of an Ex-officio
Magistrate in Kolar Dist.

The Judges of the

High Court inspected all

the Sessions Courts and nineteen Magistrates'

the Courts (8 Dist Magistrates' Courts

and 11 Special Magistrates'
Courts) during the year

under review.

Govt are glad to
note that the work
of the Criminal Courts
in the State was
~~on the whole~~ satisfactory.

nee

17/12/40

Secretary to Govt
Law Dept.

To

The Registrar High Court of Mysore

The Dist. Magistrates of districts

Press Table.

N.B.:- Figures for the previous year are shown in the brackets
after those pertaining to the year 1939-40.

20 Copies

Proceedings of the Government of H.H.
the Maharaja of Mysore.

Read:-

Letter No. P. 37/39-40, dated 29th
October 1940 from the Registrar, High Court
of Mysore, forwarding the report on the
Administration of Criminal Justice in Mysore
for the year 1939-40.

Order No. PS 284-92 dt 104-40-4
Dated 18th April 1941
R e c o r d e d.

(2) Excluding the courts of the Ex-officio Magistrates the number of courts exercising original jurisdiction at the end of the year under review was seventy-two (against sixty-nine at the end of the previous year) including fourteen Benches of Magistrates and seven Justices of the Peace.

(2) Offences reported.

The total number of offences reported rose from 33,653 in the previous year to 36,230 in the year under review with a corresponding increase in the number of cases "returned as true" viz., 35,244 against 32,395. There was also an increase in the number of persons brought to trial viz., 53,877 against 49,477 in the year 1938-39.

(3) Magisterial Work.

There was an increase in the number of cases for disposal in the courts of the Stipendiary Magistrates other than District Magistrates, as also in the number of persons dealt with by these courts. These Magistrates had before them 32,767 (28,910) cases



in respect of 49,825(44,503) persons during the year under review. It is satisfactory to note that, in spite of the increase of work in these courts, the disposal of cases by the Magistrates was better than in the previous year and the number of cases left pending was 2249 (2505).

There was ~~however~~ a decrease in the number of cases for disposal by the Benches of Honorary Magistrates viz., 2844 (3807) and also in the number of cases disposed of during the year under review. 2590 cases (3426) were disposed of leaving a balance of 254 (381) cases.

(4) Average duration.

It is satisfactory to note that there has been a continued improvement in the ^{work} ~~courts~~ of the Stipendiary Magistrates in respect of the average duration of criminal trials viz., 37.7 days against 40.4 days in 1938-39 and 52.1 1937-38. The average -- ^{Cases in the Courts of} duration of Benches of Honorary Magistrates was however on the increase.

(5) Cases over six months old.-

Government are glad to note that the number of regular cases over six months old left pending at the end of the year under review was reduced from 336 in the previous year to 112 and they hope that every -- endeavour will be made to reduce the pending file still further. Government, however, note that most of the Bench Courts are not working in a business-like way. The -- District Magistrates of Districts are -- requested to issue necessary instructions in

,this behalf.

(6) Miscellaneous proceedings:-

There was a slight increase in the number of miscellaneous proceedings before Magistrates viz., 1138 (1032) concerning 2306 (2413) persons. The largest number of cases related to disputes regarding -- immoveable property (Chapter XII, Code of Criminal Procedure) namely 266(274) cases concerning 955(1233) persons. The attention of the Magistrates is drawn to the observations made by Government from time to time in this matter while reviewing the reports on the administration of Criminal Justice during the previous years.

(7) Juvenile Offenders.-

The number of Juvenile Offenders brought before the Magistrates' Courts rose from 271 in the previous year to 357 during the year under review. The number imprisoned ^{ed} was 89, against 63 in the previous year. The number imprisoned is very high and Government trust that the District Magistrates of Districts will in future examine such cases with a view to ascertain as to whether the provisions regarding first offenders could not be more liberally ~~app~~ applied in such cases.

(8) Sessions Work.

There was an increase in the number of Sessions Cases for disposal viz., 180 cases (128) involving 506(311) persons. The disposals kept pace with the institutions and of 180 cases for disposal, 145 cases were disposed of, leaving a balance of

35(19) cases for disposal. The Sessions Court, Mysore Division, contributed ^{largely} mainly to the increase in the number of cases left pending at the end of the year under review. The average duration of Sessions cases was 58.19 (51) days.

(9) Appeals.

The appellate work of the Sessions Judges continued to be very heavy. The number of appeals for disposal before the Sessions Judges was 540(544) and of these 480 appeals (489) were disposed of leaving a balance of 60 appeals (55) for disposal at the end of the year under ^{Review} ~~Report~~. There was an improvement in the average duration of appeals disposed of by Sessions Judges viz., 36.04 (41.1) days

There was a slight ^{increase} ~~decrease~~ in the number of appeals for disposal in the courts of the Magistrates. ^{6w} 214(198) appeals preferred by 385(267) persons were before the Magistrates. Of these, 204(183) appeals relating to 372(238) persons were disposed of, leaving 10 (15) appeals relating to 13(29) persons pending at the end of year under review.

The appellate work was satisfactorily up to date except in the Sessions Court, Mysore Division.

The average duration of appeals disposed of by Sessions Judges and -- Magistrates was 36.04(41.1) and 31.26(30. days respectively.

(10) High Court.

It is gratifying to note that all

the appeals, viz., 75, which were before the High Court were disposed of during the year under review and no appeal was left pending at the end of the year.

The average duration of the appeals disposed of by the High Court was 28.4 (26.44) days.

(11) Inspections.

The District Magistrates inspected all the Subordinate Criminal Courts in their Districts except one Bench Court in the Bangalore District and the court of an Ex-officio Magistrate in Kolar District. The Judges of the High Court inspected all the Sessions Courts and nineteen Magistrates' courts (8 District Magistrates Courts and 11 Special Magistrates Courts) during the year under review.

Government are glad to note that the work of the Criminal Courts in the State was satisfactory.

3

Hm
18/3/41
Secy. to Govt.
Law Dept.

To

The Registrar, High Court of Mysore.
" District Magistrates of Districts
Press Table.

N.B. Figures for the previous year are shown in the brackets after those pertaining to the year 1939-40.

5x

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

Read:—

Letter No. P. 37/39-40, dated 29th October 1940 from the Registrar, High Court of Mysore, forwarding the report on the Administration of Criminal Justice for year 1939-40.

Order No. PS284-7-03-104-40-4
Bangalore, dated 18th April 1941.

H E O F O S O.

(2) Excluding the courts of the ex-officio Magistrates the number of courts exercising original jurisdiction at the end of the year under review was seventy-two ^(Sixty-nine) including fourteen Branches of Magistrates and seven Justices of the Peace.

(3) Offences Reported.

The total number of offences reported rose from 35,56 to 36,230 with a corresponding increase in the number of cases "returned as true" viz., 35,244 (32,395). There was also an increase in the number of persons brought to trial viz., 53577 (49,477).

(4) Magisterial work.

There was an increase in the number of cases for disposal in the courts of the Magistrates other than District Magistrates, as also in the number of persons dealt with by these courts. These Magistrates had been before them 32,757 (29,910) cases in respect of 49,625 (44,503) persons during the year under review. It is satisfactory to note that, in spite of the increase of work in these courts, the disposal of cases by the Magistrate is better than in the previous year and the number

number of cases left pending was 2249 (2505).

There was a decrease in the number of cases for disposal by the Benches of Honorary Magistrates viz., 2844 (3807) and also in the number of cases disposed of. viz. ^{2590 (3426)} ~~2590 (3426)~~

(4) Average duration:

There has been a continued improvement in the work of the Stipendiary Magistrates in respect of the average duration of criminal trials viz., 37.7 days against (40.4) days. The average duration of cases in the courts of Benches of Honorary Magistrates was however on the increase.

(b) Cases over six months old.

The number of regular cases over six months old pending at the end of the year was reduced from 336. ^{to 112.} Government however, note that most of the Bench Courts are not working in a business-like way. The District Magistrates are requested to issue necessary instructions in this behalf.

(6) Miscellaneous proceedings.

There was a slight increase in the number of miscellaneous proceedings before Magistrates viz., 1138(1032 concerning 2306 (2413) persons. The largest number of cases related to disputes regarding immoveable property (Chapter XII, Code of Criminal Procedure) namely 266(274) cases concerning 955(1233) persons.

~~The total number of the Magistrate's cases were 1138 (1032) concerning 2306 (2413) persons. The largest number of cases related to disputes regarding immoveable property (Chapter XII, Code of Criminal Procedure) namely 266 (274) cases concerning 955 (1233) persons.~~

(8) Juvenile Offenders.-

The number of Juvenile offenders brought before the Magistrates' Courts rose from 271 to 357. The number imprisoned was 89 (63). Government trust that the District

~~District Magistrates~~ will examine all such cases with a view to ascertain whether the provisions regarding first offenders could not be more liberally applied.

(4) Sessions Work.

There was an increase in the number of Sessions Cases for disposal viz., 180 cases (128) involving 506(311) persons. The disposals kept pace with the institutions and of 180 cases for disposal, 145 cases were disposed of, leaving a balance of 35(19) cases. The Sessions Court, Mysore Division, contributed largely to the increase in the number of cases left pending at the end of the year under review. The average duration of Sessions cases was 58.19(51) days.

(5) Appeals.

The number of appeals for disposal before the Sessions Judges was 540(544). Of these, 480 appeals (489) were disposed of leaving a balance of 60 (55). There was an improvement in the average duration viz., 36.04(41.1) days.

There was a slight ^{increase} decrease in the number of appeals for disposal in the courts of Magistrates. Out of 214(198) appeals preferred by 385(267) persons, 204(183) appeals relating to 372(238) persons were disposed of, leaving 10(15) appeals relating to 13(29) persons pending.

The appellate work was satisfactorily up to ^{date} day except in the Sessions Court, Mysore Division.

The average duration of appeals disposed of by Sessions Judges and Magistrates was 36.04(41.1) and 31.26(30.3) days respectively

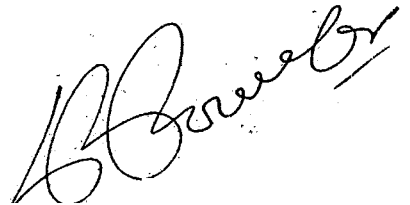
(10) High Court.

All the appeals, viz., 10, which were before the High Court were disposed of during the year under review. The duration was 28.4 (26.44) days.

19) Inspections.

The District Magistrates inspected all the subordinate Criminal Courts in their Districts except one Bench Court in the Bangalore District and the court of an Ex-officio Magistrate in Kolar District. The Judges of the High Court inspected all the Sessions Courts and nineteen Magistrates courts (8 District Magistrates Courts and 11 Special Magistrates Courts) during the year under review.

The work of the Criminal Courts in the State was satisfactory.



Secretary to Government,
Law Department.

cm

To

The Registrar, High Court of Mysore.
" District Magistrates of Districts.
Press Table.

N.B. Figures for the previous year are shown in brackets after those pertaining to the year 1939-40.

KR/20.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE.

Read:—

Letter No. P. 87/39-40, dated 29th October 1940
from the Registrar, High Court of Mysore, forwarding the
Report on the Administration of Criminal Justice in Mysore
for the year 1939-40.

Order No. *P5284-92 CS-104-40-4*
Bangalore, dated *18th* April 1941.

R e c o r d e d .

(2) Regarding the courts of the Ex-officio Magistrates
the number of courts exercising original jurisdiction at the
end of the year under review was seventy-two (*Sixty nine*) including
fourteen benches of Magistrates and seven Justices of the
Peace.

(3) Offences reported.

The total number of offences reported rose from
33,608 to 36,830 with a corresponding increase in the number
of cases "returned as true" viz., 35244 (32,855). There
was also an increase in the number of persons brought to
trial viz., 53,577 (49,477).

(4) Judicial work.

There was an increase in the number of cases for
disposal in the courts of the Magistrates other
than District Magistrates, as well as in the number of persons
dealt with by these courts. These Magistrates had before
them 12,737 (12,910) cases in respect of 49,325 (44,503)
persons during the year under review. It is satisfactory
to note that, in spite of the increase of work in these

~~in these~~ courts, the disposal of cases by the Magistrates was better than in the previous year and the number of cases left pending was 2249 (2505).

There was a decrease in the number of cases for disposal by the Benches of Honorary Magistrates viz., 2344 (3307) and also in the number of cases disposed of viz. 2590 (3426)

(5) Average duration.

There has been a continued improvement in the work of the stipendiary Magistrates in respect of the average duration of criminal trials viz., 37.7 days (40.4). The average duration of cases in the courts of Benches of Honorary Magistrates was however on the increase.

(6) Cases over six months old:

The number of regular cases over six months old pending at the end of the year was reduced from 336 to 112. Government, however, note that most of the Bench Courts are not working in a business-like way. The District Magistrates are requested to issue necessary instructions in this behalf.

(7) Miscellaneous proceedings.

There was a slight increase in the number of miscellaneous proceedings before Magistrates viz., 1130 (1032) concerning 2306 (2413) persons. The largest number of cases related to disputes regarding immoveable property (Chapter XI Code of Criminal Procedure) namely 266 (274) cases concerning 955 (1233) persons.

~~The attention of the Magistrates is drawn to the observations made by Government from time to time in view of the fact that the reports on the progress of the work of the Magistrates are not being submitted in time.~~

(8) Juvenile Offenders

The number of Juvenile Offenders brought before the

Magistrates' Courts rose from 271 to 357. The number imprisoned was 89 (63). Government trust that the District Magistrates of Districts will examine all such cases with a view to ascertain whether the provisions regarding first offenders could not be more liberally applied.

(9) Sessions Work.

There was an increase in the number of Sessions Cases for disposal viz., 180 cases (128) involving 506(311) persons. The disposals kept pace with the institutions and of 180 cases for disposal, 145 cases were disposed of, leaving a balance of 35(19) cases. The Sessions Court, Mysore Division, contributed largely to the increase in the number of cases left pending at the end of the year under review. The average duration of Sessions cases was 58.19 (51) days.

(10) Appeals.

The number of appeals for disposal before the Sessions Judges was 340(544). Of these, 480 appeals (439) were disposed of, leaving a balance of 60 (55). There was an improvement in the average duration viz., 36.04 (41.1) days.

There was a slight decrease in the number of appeals for disposal in the courts of Magistrates. Out of 214(193) appeals preferred by 385(267) persons 204(183) appeals relating to 372(238) persons were disposed of, leaving 10(15) appeals relating to 13(29) persons pending.

The appellate work was satisfactorily up to date except in the Sessions Court, Mysore Division.

The average duration of appeals disposed of by Sessions Judges and Magistrates was 36.04(41.1) and 31.26 (30.3) days respectively

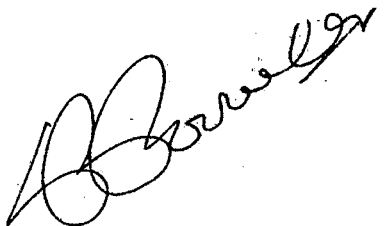
(1b) High Court.

All the appeals viz., 75 which were before the High Court were disposed of during the year under review. The average duration was 28.4 (26.44) days.

(12) Inspections.

The District Magistrates inspected all the Subordinate Criminal Courts in their Districts except one Bench Court in the Bangalore District and the court of an Ex-officio Magistrate in Kolar District. The Judges of the High Court inspected all the Sessions Courts and nineteen Magistrates courts (8 District Magistrates' Courts and 11 Special Magistrates Courts) during the year under review.

The work of the Criminal Courts in the State was satisfactory.


J. N. Secretary to Government,
Law Department.
cm

To

The Registrar, High Court of Mysore.
District Magistrates of Districts.
Press Table.

N.B. Figures for the previous year are shown in brackets after those pertaining to the year 1939-40.
KR/20.

REPORT ON THE ADMINISTRATION OF CRIMINAL JUSTICE
IN MYSORE FOR THE YEAR 1939-40

WITH THE GOVERNMENT REVIEW THEREON.

**GOVERNMENT OF HIS HIGHNESS THE MAHARAJA
OF MYSORE.**

GENERAL AND REVENUE DEPARTMENTS.

G. O. No. P. 5284-92—Cts. 104-40-4, dated 18th April 1941.

Criminal Justice.

Reviews the report on the administration of — in Mysore for the year 1939-40.

READ—

Letter No. P. 37—39-40, dated 29th October 1940, from the Registrar, High Court of Mysore, forwarding the report on the administration of Criminal Justice in Mysore for the year 1939-40.

ORDER NO. P. 5284-92—Cts. 104-40-4, DATED BANGALORE,
THE 18TH APRIL 1941.

Recorded.

2. Excluding the courts of the *ex-officio* Magistrates, the number of courts exercising original jurisdiction at the end of the year under review was seventy-two (sixty-nine) including fourteen Benches of Magistrates and seven Justices of the Peace.

3. *Offences Reported.*—The total number of offences reported rose from 33,653 to 36,230 with a corresponding increase in the number of cases “returned as true,” *viz.*, 35,244 (32,395). There was also an increase in the number of persons brought to trial, *viz.*, 53,877 (49,477).

4. *Magisterial Work.*—There was an increase in the number of cases for disposal in the courts of the Stipendiary Magistrates other than District Magistrates, as also in the number of persons dealt with by these courts. These Magistrates had before them 32,767 (28,910) cases in respect of 49,825 (44,503) persons during the year under review. It is satisfactory to note that, in spite of the increase of work in these courts, the disposal of cases by the Magistrates was better than in the previous year and the number of cases left pending was 2,249 (2,505).

There was a decrease in the number of cases for disposal by the Benches of Honorary Magistrates, *viz.*, 2,844 (3,807) and also in the number of cases disposed of, *viz.*, 2,590 (3,426).

5. *Average Duration.*—There has been a continued improvement in the work of the Stipendiary Magistrates in respect of the average duration of criminal trials, *viz.*, 37.7 days (40.4). The average duration of cases in the courts of Benches of Honorary Magistrates was however on the increase.

6. *Cases over six months old.*—The number of regular cases over six months old pending at the end of the year was reduced from 336 to 112. Government however note that most of the Bench Courts are not working in a business-like way. The District Magistrates are requested to issue necessary instructions in this behalf.

7. *Miscellaneous Proceedings.*—There was a slight increase in the number of Miscellaneous proceedings before Magistrates, *viz.*, 1,138 (1,032) concerning 2,306 (2,413) persons. The largest number of cases related to disputes regarding immoveable property (Chapter XII, Code of Criminal Procedure), namely 266 (274) cases concerning 955 (1,233) persons.

8. *Juvenile Offenders.*—The number of Juvenile Offenders brought before the Magistrates' Courts rose from 271 to 357. The number imprisoned was 89 (63). Government trust that the District Magistrates of Districts will examine all such cases with a view to ascertain whether the provisions regarding first offenders could not be more liberally applied.

No. P. 5284-92—CTS. 104-40-4, DATED 18TH APRIL 1941.

9. *Sessions Work*.—There was an increase in the number of Sessions Cases for disposal, *viz.*, 180 cases (128) involving 506 (311) persons. The disposals kept pace with the institutions and of 180 cases for disposal, 145 cases were disposed of, leaving a balance of 35 (19) cases. The Sessions Court, Mysore Division, contributed largely to the increase in the number of cases left pending at the end of the year under review. The average duration of Sessions cases was 58·19 (51) days.

10. *Appeals*.—The number of appeals for disposal before the Sessions Judges was 540 (544). Of these, 480 appeals (489) were disposed of, leaving a balance of 60 (55). There was an improvement in the average duration, *viz.*, 36·04 (41·1) days.

There was a slight increase in the number of appeals for disposal in the courts of Magistrates. Out of 214 (198) appeals preferred by 385 (267) persons, 204 (183) appeals relating to 372 (238) persons were disposed of, leaving 10 (15) appeals relating to 13 (29) persons pending.

The appellate work was satisfactorily up-to-date except in the Sessions Court, Mysore Division.

The average duration of appeals, disposed of by Sessions Judges and Magistrates was 36·04 (41·1) and 31·26 (30·3) days, respectively.

11. *High Court*.—All the appeals, *viz.*, 75 which were before the High Court were disposed of during the year under review. The average duration was 28·4 (26·44) days.

12. *Inspections*.—The District Magistrates inspected all the subordinate Criminal Courts in their districts except one Bench Court in the Bangalore District and the court of an *ex-officio* Magistrate in the Kolar District. The Judges of the High Court inspected all the Sessions Courts and 19 Magistrates' Courts (8 District Magistrates' Courts and 11 Special Magistrates' Courts) during the year under review.

The work of the Criminal Courts in the State was satisfactory.

H. V. NARAYANA RAO,
Secretary to Government,
Law Department.

To—The Registrar, High Court of Mysore.
The District Magistrates of Districts.

PRESS TABLE.

Exd.—C. K.

REPORT ON THE ADMINISTRATION OF CRIMINAL JUSTICE
IN MYSORE FOR THE YEAR 1939-40.

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PART I.

HIGH COURT.

1. Personnel.

(i) Sir D'Arcy Reilly, Chief Justice, was on leave from the beginning of the year to 16th November 1939. Mr. Justice Abdul Ghani officiated as Chief Justice during the period, and Mr. S. Venkata Ranga Iyengar, District Judge, acted as a Puisne Judge of the High Court.

(ii) Mr. Justice Nagesvara Iyer was on privilege leave from 13th November 1939 to 22nd December 1939, and Mr. S. Venkata Ranga Iyengar continued to act as a Puisne Judge of the High Court in his place.

(iii) Mr. Justice Nagesvara Iyer was engaged on special duty outside the Court from 16th January 1940 to 25th February 1940, and Mr. S. Venkata Ranga Iyengar again acted as a Puisne Judge of the High Court in his place from 16th January 1940 to 14th February 1940.

(iv) The office of temporary Fourth Judge of the High Court, held by Mr. Justice Singaravelu Mudaliar, was extended by a year from 2nd January 1940 and was afterwards made permanent from that date, Mr. Justice Singaravelu Mudaliar being confirmed in the appointment.

(v) Two additional Judges were added to the Court for two years from 15th February 1940 in consequence of an increase in civil work. Mr. S. Venkata Ranga Iyengar and Mr. C. Subrahmanya Aiyar, District Judges, were appointed to the posts from that date.

2. Appeals.

(i) *Institutions*.—The number of appeals filed during the year was 74 against 39 in the previous year and 42 in 1937-38. Two appeals (against five in the previous year) were preferred by the Government against orders of acquittal.

(ii) *Disposals*.—One appeal remained from the previous year, and the total number of appeals for disposal was 75, involving 99 persons, against 39 appeals, involving 51 persons, in the previous year. All the 75 appeals were disposed of in the year. The two appeals against acquittals were dismissed. In 45 of the remaining appeals the convictions and sentences were confirmed; in 10 appeals, concerning 11 persons, the sentences were reduced or altered; and in 18 appeals, concerning 26 persons, the convictions were set aside and the appellants acquitted.

(iii) *Pendency*.—No appeal was left pending at the end of the year.

(iv) *Average duration*.—The average duration of the appeals disposed of during the year was 28·4 days against 26·44 days in the previous year, 29·51 days in 1937-38 and 37·48 days in the year 1936-37.

3. References under Section 374, Code of Criminal Procedure.

Four cases, involving four persons, came up for confirmation of sentences of death during the year. The sentences were reduced to transportation for life in two cases; in one case the sentence of death was confirmed; and in one case the conviction was set aside, and the accused was acquitted. No case was left pending.

4. References under Section 307, Code of Criminal Procedure.

No case under this provision of law was pending at the beginning of the year. One case, involving nine persons, was referred to the High Court during the year. In that case the verdict of the Jury was not accepted, and the Accused were acquitted.

5. Miscellaneous Appeals.

No Miscellaneous Appeal was pending at the end of 1938-39, nor was any filed during 1939-40.

6. Revision.

The number of copies of judgments and orders of lower Courts received in the High Court during the year under report was 1,282 against 1,165 in the previous year. They were scrutinised, and proceedings were issued whenever necessary.

(ii) The number of cases referred to the High Court by Sessions Judges and District Magistrates for revision or taken up by the High Court *suo motu* was 58, involving 105 persons; and, including five cases, involving nine persons, which were pending from the previous year, the total number for disposal was 64 cases, relating to 115 persons. Of these 63 cases, relating to 114 persons, were disposed of, and 1 case, involving one person, was pending at the end of the year.

(iii) *Revision petitions*.—The number of petitions for revision received during the year was 328, involving 564 persons, against 298, involving 407 persons, in the previous year. At the beginning of the year 51 petitions, involving 140 persons, were pending. The number of petitions disposed of was 399, involving 683 persons, against 300, involving 425 persons, in the year 1938-39. Only ten petitions, involving 21 persons, were left pending at the end of the year, a smaller number than in any previous year. The oldest petition left pending had been received 16 days before the close of the year. The decisions of the lower Courts were reversed in 77 cases and altered in 21 cases. Retrial or further inquiry was ordered in 16 cases, and proceedings were quashed in one case. Two hundred and twenty-nine petitions were rejected without notice to the other side, and 55 were dismissed after notice. It will be seen that over 71·1 per cent of the petitions were unsuccessful against 66 per cent in the previous year. What is more remarkable is that more than half the petitions received were groundless or were really attempts to get an appeal where the law allows none.

7. Other Petitions.

Including one petition pending at the end of the year 1938-39, there were for disposal 127 petitions, of which 123 were disposed of, leaving four pending at the end of the year.

8. Cases under the contempt of Courts' Act.

No case was pending at the end of the previous year. Two cases, involving three persons, were filed during the year, but both of them were dismissed.

9. General view of work of the High Court on the Criminal Side.

The table below shows the work of the High Court on the Criminal Side as compared with that of the previous year.

Year	For disposal										Disposed of										Pending									
	Appeals	Cases under Section 374, Cr. P. C.	References under Section 307, Code of Criminal Procedure	Miscellaneous Appeals	Revision cases	Revision petitions	Other petitions	Cases under Contempt of Courts' Act	Total	Appeals	Cases under Section 374, Code of Criminal Procedure	References under Section 307, Code of Criminal Procedure	Miscellaneous Appeals	Revision cases	Revision petitions	Other petitions	Cases under Contempt of Courts' Act	Total	Appeals	Cases under Section 374 Code of Criminal Procedure	References under Section 307, Code of Criminal Procedure	Miscellaneous Appeals	Revision Cases	Revision petitions	Other petitions	Cases under Contempt of Courts' Act	Total			
1938-39 ...	39	2	1	...	60	381	108	1	592	38	2	1	...	55	300	107	1	504	1	...	...	...	...	581	1	...	...	88		
1939-40 ...	75	4	1	...	64	409	127	2	682	75	4	1	...	63	399	123	2	667	...	...	...	...	110	4	...	...	15			

Though there was an increase of criminal work, more was disposed of, and the cases left unfinished at the end of the year were less than ever before.

PART II.

Courts subordinate to the High Court.

1. NUMBER OF COURTS.

(a) Excluding Revenue Officers who were *Ex-officio* Magistrates, the number of Judges and Magistrates exercising original jurisdiction at the end of the year under report was 72 against 69 at the end of the previous year, namely :—

- 5 Sessions Judges (including Additional Sessions Judges at Bangalore and Shimoga),
- 4 Assistant Sessions Judges (including an Additional Assistant Sessions Judge at Mysore),
- 9 District Magistrates,
- 29 Special Magistrates (including the Second City Magistrates of Bangalore and Mysore and the Sub-Division Officer, Saklespur),
- 4 Munsiff-Magistrates (at Dodballapur, Hole-Narsipur, Hunsur and Kolar Gold Fields),
- 14 Benches of Magistrates and
- 7 Justices of the Peace.

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(b) The appointment of a temporary Additional District and Sessions Judge for the Bangalore Division was continued for a further period of a year from 3rd April 1940.

(c) An Additional District and Sessions Judge was appointed to the Shimoga Division for a period of six months from 1st August 1939, and the term of the appointment was extended up to 31st March 1940 in the first instance and afterwards to 30th September 1940.

(d) The term of the temporary Second City Magistrate of Bangalore was further extended for a period of a year from 2nd January 1940.

(e) The Second City Magistrate's Court at Mysore was continued for another year from 1st September 1939.

(f) A Bench of Honorary Magistrates was established at Magadi from 1st March 1940, with jurisdiction over the whole of Magadi Taluk in respect of third class cases.

(g) The District of Mysore was divided into two Districts, Mysore and Mandya, from 1st July 1939. From that date the jurisdiction of the District and Sessions Judge of the Mysore Division comprised the Revenue Districts of Mysore, Hassan and Mandya. From 1st October 1939 the Sessions Judge of Mysore was directed to hold his Court at Mandya for the trial of Sessions Cases arising within the Mandya District, and it was ordered that all such cases should be tried with the aid of Assessors.

(h) There was no change in the itineration of Magistrates during the year, except that the Munsiff-Magistrate of Hole-Narsipur held his Court at Sravana-belagola for three weeks from 10th February 1940, in connection with the Mahamastakabhisheka celebration of Sri Gomateswaraswami at that place.

(i) *Justices of the Peace.*—Sir Charles Todhunter, Private Secretary to His Highness the Maharaja of Mysore, Mr. E. G. Mc Alpine, Director of Public Instruction in Mysore, Mr. J. C. Rollo, Principal of the Maharaja's College at Mysore, Mr. A. B. Mackintosh, Principal of the Central College at Bangalore, Sir Mortin Forster, Mr. D. H. Elwin, I. C. S., and Mr. C. E. Lloyd Worth continued to be Justices of the Peace during the year.

(j) The system of giving magisterial work to Munsiffs and Civil Work to Magistrates in addition to their usual civil and criminal work, respectively, was continued in certain places. The First Magistrate of Shimoga was appointed Additional Munsiff of the Munsiff's Court at Shimoga from 2nd January 1940. The Munsiffs of Hole-Narsipur and Hunsur continued to be the Second Class Magistrates and the Munsiff of Dodballapur to be a First Class Magistrate. Similarly the Munsiff of Kolar Gold Fields continued to be a Second Class Magistrate for the trial of sanitation cases in the Gold Fields Sanitary Board area. The Second Magistrates at Kolar and Tumkur continued to be additional Munsiffs of the Courts of the Munsiff of Kolar and the First Munsiff of Tumkur respectively; but it was not necessary for the Second Magistrate of Kolar to undertake any civil work during the year. First Class Magistrates of the status of subordinate Judges continued to work also as Additional Subordinate Judges, those stationed at Chikmagalur, Chitaldrug, Hassan and Kolar hearing both Original Suits and Civil

Appeals of their Districts and the First Magistrate of Tumkur hearing only Civil Appeals from the decisions of the Munsiffs in the Tumkur District.

2. Receipts and Charges.

The receipts of Criminal Courts other than the High Court amounted to Rs. 91,945-1-6 against Rs. 86,879-8-7 in the previous year, and the charges to Rs. 2,02,376-13-5 against Rs. 2,06,020-2-6. The increase in receipts by Rs. 5,065-13-11 was mainly due to an increase in fines realised (Rs. 64,896-6-8 against Rs. 60,612-10-1).

3. Offences reported.

The total number of offences reported was 36,230 against 33,653 in the previous year, showing an increase of 2,577; and there was a corresponding increase in the number of cases "returned as true," viz., 35,244 against 32,395. The proportion of cases "returned as true" was 97·2 against 96·2 per cent in the previous year, but as in previous years it must not be supposed that anything like so large a proportion of cases before the Courts were really true.

4. Persons brought to Trial.

Including 6,682 persons awaiting trial at the close of the previous year, the total number of persons brought to trial in Magistrates' Courts was 53,877 (excluding 426 persons committed to Sessions during the year) against 49,477 in the previous year. Of the persons brought to trial the cases in respect of 48,277 against 42,795 in the previous year were disposed of, the percentage being 89·6 against 86·4 and representing a considerable improvement. The total number of persons convicted was 27,525 and of those acquitted or discharged 19,395. The proportion of persons convicted to those acquitted or discharged was 58·6 to 41·3 against 57·2 to 42·7 in the previous year. The number of persons whose cases were left pending at the end of the year was 5,600 against 6,682 at the end of the previous year.

5. Offences under the Penal Code

(i) *Affecting the Human body.*—The number of persons tried for offences under this head was 9,209 (against 9,729 in the previous year) or 17·08 per cent of the total number of persons brought to trial (against 19·6 per cent in the previous year). The cases concerning 7,666 persons (against 7,620 in the previous year) were disposed of, 451 or 5·8 per cent (against 455 or 5·9 per cent) being convicted. The largest proportion of persons, 8,100 (4,425+3,675) or 87·9 per cent (against 8,890 or 91·3 per cent) were, as usual, concerned in offences of hurt and assault.

(ii) *Affecting property.*—The number of persons dealt with under this head was 10,097 or 18·7 per cent of the total number of persons brought to trial (against 9,053 or 18·2 per cent in the previous year). The cases of 8,308 persons were disposed of, the percentage of convictions being 30·3 against 29·8 in the previous year. Of the total number of persons brought to trial under this head 55·1 per cent were dealt with for offences of theft and 25·9 per cent for trespass, against 55·05 per cent and 24·8 per cent, respectively, in the previous year.

6. Offences punishable under Special and Local Laws.

The number of persons brought to trial under this head was 27,799 or 51·59 per cent of the total number of persons brought to trial against 25,016 or 50·05 per cent in the previous year. The cases against 26,623 persons were disposed of, 22,643 or 85·05 per cent being convicted against 85·1 per cent in the previous year.

Details of offences under Special and Local Laws have been given with figures under each law separately in the statement appended to this report.

7. Heinous Offences punishable under the Indian Penal Code.

Information regarding these offences is embodied in Statement "A" annexed.

Compared with the previous year's figures there was an increase in offences of giving false evidence (34 against 31), murder (60 against 46), rape (8 against 5), theft (1987 against 1910), cattle theft (121 against 118), robbery (41 against 25) and receiving stolen property (32 against 19), while there was a fall in offences of culpable homicide not amounting to murder (9 against 10), grievous hurt (358 against 501) and dacoity (1 against 7).

8. General Results of Magisterial Work.

(*Vide* Statement No. 4 as regards persons and Statement No. 'B' as regards cases).

(a) *Work done*.—The number of persons dealt with by Magistrates was 53,877 (excluding 426 persons committed to Sessions) against 49,477, an increase of 4,400 persons. There was also a corresponding increase in the number of cases, namely 35,642 against 32,737 in 1938-39.

(i) *District Magistrates' Courts*.—Thirty-one cases regarding 47 persons (against 20 cases regarding 31 persons in the previous year) were before District Magistrates. None of these cases was left pending at the end of the year.

(ii) *Stipendiary Magistrates' Courts*.—By Stipendiary Magistrates other than District Magistrates 30,518 cases regarding 44,801 persons were disposed of against 26,405 cases regarding 38,645 persons in the previous year. The number of cases left pending was 2,249 against 2,505 in the previous year.

(iii) *Benches of Honorary Magistrates*.—Benches of Honorary Magistrates had before them 2,844 cases regarding 4,431 persons against 3,807 cases regarding 5,234 persons in the previous year; and they disposed of 2,590 cases regarding 3,855 against 3,426 regarding 4,410 persons in the previous year. The number of cases left pending was 254 against 381 in the previous year.

(b) *Pendency*.—It is satisfactory that in spite of an increase in work to be done there was a decrease in the total number of cases and of persons awaiting trial at the end of the year, the respective numbers being 2,503 and 5,600 against 2,886 and 6,632 in the previous year.

(c) *Average duration*.—In the Courts of the District Magistrates the average duration of trials was 31.6 days against 26.6 in 1938-39 and 50.6 days in 1937-38. In the Courts of other Stipendiary Magistrates it was 37.7 days against 40.4 days in 1938-39 and 52.1 days in 1937-38; and in the Bench Magistrates' Courts it was 42.2 days against 36.8 days in 1938-39 and 40.8 days in 1937-38. The continued improvement in the Courts of Stipendiary Magistrates other than District Magistrates, who do much the greater part of the magisterial work in the State, is satisfactory.

(d) *Cases over six months old*.—The number of regular cases over six months old left pending at the end of the year was 112 against 336 at the end of the previous year. This reduction by 224 cases or 66 per cent shows that at least there has been a considerable improvement in the matter, which has been one of the chief blots on the work of the Magistrates for several years. Of the 112 cases more than six months old 40 were in the Bangalore District, 25 in the Shimoga District, 16 in the Mandya District and 12 in Hassan District. The Chitaldrug District provided the lowest number (1) as in the previous year. Although in the Bangalore District there was a great reduction—from 201 to 40 cases—that district retained its unenviable pre-eminence in this matter. The total number of such cases pending in the Courts of the Special Magistrates was 71, in the Courts of *Ex-officio* Magistrates 10 and before Benches of Honorary Magistrates 31. The worst Court in this respect was that of the Second Magistrate of Shimoga with 19 cases. Next came the Bench Magistrates' Court at Bangalore with 10, the Special Magistrate's Court at Mandya with 9, the City Magistrate's Court at Bangalore and the Bench Magistrates' Court at Devanhalli each with 8 and the Treasury Assistant Commissioner and *Ex-officio* Magistrate at Mandya with 7. It is very unsatisfactory that two of the worst Courts were Courts of Honorary Bench Magistrates, who try cases of comparatively little importance. In recent years it has unfortunately been necessary to abolish several Benches of Honorary Magistrates because they could not be induced to do their work properly; and of the small number of such Courts which remain few attend to their duties in a business-like way. If the Treasury Assistant Commissioner at Mandya or any other *Ex-officio* Magistrate really cannot find time to try a few cases, District Magistrates should not transfer such work to them. Of the 30 Special Magistrates' and Munsiff-Magistrates' Courts, 14 Courts were free of such cases. The improvement in this matter is no doubt due to more vigorous supervision by District Magistrates, which it is satisfactory to record. But no District Magistrate should be satisfied until he is sure that no case is before a Magistrate in his district so long as six months save for some quite exceptional reason entirely beyond the Magistrate's control.

9. Miscellaneous Proceedings in the Courts of the Magistrates.

(a) The total number of miscellaneous proceedings before Magistrates was 1,138, concerning 2,306 persons, against 1,032, concerning 2,413 persons in the previous year. The largest number of cases related, as before, to disputes regarding immoveable property (Chapter XII, Code of Criminal Procedure), namely 266 cases, concerning 955 persons, against 274 cases, concerning 1,233 persons, in the previous year.

(b) *Average duration.*—Out of 1,138 Miscellaneous Cases for disposal 1,015 cases (as against 878 cases) were disposed of, leaving 123 cases (as against 154) pending. The average duration was 68·07 days against 82·2 days in 1938-39.

(c) *Possession and Security Cases.*—(i) *Possession Cases.*—The number of cases pending at the beginning of the year was 87. The number of cases instituted was 179 (120 by private parties and 59 by the Police), making a total of 266 cases for disposal. Of these, 206 cases were disposed of, leaving 60 pending at the end of the year. The average duration in respect of possession cases disposed of was 135·5 days as against 112·4 days in the previous year. Notwithstanding a reduction in the number of cases instituted by private parties, from 138 to 120, the number still remains high, and Magistrates must be on their guard against entertaining cases of this nature, which parties wish to launch merely as the first move in a civil dispute. There was great variation in the number of such cases brought by private parties in different districts. In the Chitaldrug District it was 35, and in the Tumkur District 32; in the Kadur District it was only five, and in the Shimoga District only three; in the Hassan and Mandya Districts there was no such case. An evil fashion in this matter appears to persist in the Tumkur District.

(ii) *Security for keeping the Peace.*—The number of cases pending at the beginning of the year was 10. The number of cases instituted during the year was 63 (29 by private parties and 34 by the Police), making a total of 73 cases for disposal. Of them, 52 cases were disposed of, leaving 21 pending at the end of the year. The average duration of cases disposed of was 93·9 days against 86·9 days during the previous year.

(iii) *Security for good behaviour.*—The number of cases pending at the beginning of the year was 10. The number of cases instituted during the year was 100 (all by the Police), making a total of 110 cases for disposal. Of them, 95 cases were disposed of, leaving 15 pending at the end of the year. The average duration of cases disposed of was 44·5 days against 76·6 in the previous year.

(iv) *Cases over six months old.*—In this class of cases also there was a reduction in the number which were six months old at the end of the year but still unfinished. In the previous year it was 29. In the year under report it was 18. In the Bangalore District eight such cases were pending, in the Tumkur District four and in the Kadur District three. The Districts of Mysore and Shimoga were clear of such cases. The improvement in the Mysore District, which was worst in this respect in the previous year, is to be commended.

10. Examination of Witnesses.

In Magistrates' Courts 69,338 witnesses appeared during the year (in both Regular and Miscellaneous cases), the number of those examined being 56,189 (81·03 per cent against 55,878 (81·3 per cent) in the previous year. The amount of travelling allowance and batta paid to witnesses was Rs. 2,543-10-6 against Rs. 1,833-9-7 in the previous year. It is reported that no witness was detained more than three days in any Magistrate's Court. But this does not mean that many witnesses were not put to the inconvenience of attending on more than three occasions.

11. Juvenile Offenders.

From the statement appended to this report it will be seen that the number of Juvenile Offenders brought before Magistrates' Courts was 357 against 271 in the previous year. Out of the total, 118 were in the Bangalore District and 113 in the Mysore District. In the Chitaldrug District again there was no Juvenile for trial. The number of Juvenile Offenders convicted was 302 against 226 in the previous year. Of those convicted 105 were dealt with under the provisions of Section 562 of the Code of Criminal Procedure (against 106 in the previous year), and 66 were fined. The number imprisoned was 89 against 63 in the previous year, which itself was too many, and the number whipped was 42 against 12.

12. Sessions Work.

(Vide Statement No. 4.)

(i) There were 19 Sessions Cases, involving 58 persons, left over from the previous year, and 161 cases involving 448 persons, were received during the year, making a total of 180 cases, involving 506 persons, for trial against 128 cases, involving 311 persons, in the previous year. The disposals in the Bangalore, Mysore and Shimoga Divisions were respectively 69, 39 and 37 cases against 155, 118 and 108 cases, as shown in the statement given below :-

Courts	Opening balance		Filed		Total for Disposal		Disposed of		Pending	
	Cases	Persons	Cases	Persons	Cases	Persons	Cases	Persons	Cases	Persons
1. BANGALORE DIVISION.										
Sessions Judge and Additional Sessions Judge.	11	23	66	163	77	186	65	151	12	35
Assistant Sessions Judge.	2	2	4	6	6	8	4	4	2	4
Total ...	13	25	70	169	83	194	69	155	14	39
2. MYSORE DIVISION.										
Sessions Judge ...	1	3	45	164	46	167	30	101	16	66
Assistant Sessions Judge.	4	7	6	21	10	28	9	17	1	11
Total ...	5	10	51	185	56	195	39	118	17	77
3. SHIMOGA DIVISION.										
Sessions Judge and Additional Sessions Judge.	...	...	33	72	33	72	30	65	3	7
Assistant Sessions Judge.	1	23	7	22	8	45	7	43	1	2
Total ...	1	23	40	94	41	117	37	108	4	9
Grand Total ...	19	58	161	448	180	506	145	381	35	125

The total number of cases disposed of was 145 against 107 in the previous year, a considerable increase of work though the number cannot be regarded as heavy for the Judges engaged on it. The total number of cases left pending at the end of the year was 35 against 19 in the previous year. This unfortunate increase occurred mainly in the Mysore Division, where the Sessions Judge did not keep pace with his work.

(ii) *Trial by Jury.*—(Vide Statement No. 13).—The number of cases tried by Jury was 22 against 11 in the previous year. The Judge accepted the Jury's verdict in 20 cases.

(iii) *Trial with the aid of Assessors.*—(Vide Statement No. 13).—The number of cases tried with the aid of Assessors was 88 against 71 in the previous year. The Judge agreed with all the Assessors in 53 cases and differed from one or more of them in the other cases.

(iv) *Witnesses Examined.*—The total number of witnesses examined in Sessions trials was 1,974 against 1,699 in the previous year, 795 (against 739) in the Bangalore Division, 606 (against 393) in the Mysore Division and 573 (against 567) in the Shimoga Division. The total amount of batta and travelling allowance paid to witnesses in Sessions Courts was Rs. 3,600-2-9 against 3,431-9-0 in the previous year.

(v) *Average duration.*—The average duration of Sessions Cases was 58·19 days against 51 days in the previous year and 43·3 days in 1937-38. The average duration in the Bangalore, Mysore and Shimoga Divisions was respectively 53·9 (against 45·9) 82·9 against 56·6 and 39·9 (against 50·5) days. The increased delay in the Mysore Division was particularly unfortunate.

13. Trial of European British Subjects.

The number of cases pending before a Justice of the Peace at the beginning of the year was two, both on the file of Mr. A. B. Mackintosh. Three cases were instituted before him during the year, making five for disposal. No case was left pending at the end of the year.

14. Appeals.

(Vide Statement No. 6.)

The appellate Courts subordinate to the High Court had to deal with 754 regular appeals, preferred by 1,123 persons, against 742 appeals, preferred by 991 persons, in the previous year. Of these 214 appeals, preferred by 385 persons (against 198 appeals of 267 persons) were before Magistrates, and 540 appeals, preferred by 738 persons (against 544 appeals of 724 persons) were before Sessions Judges. The number of appeals disposed by Magistrates was 204, relating to 372 persons (against 183 relating to 238 persons) leaving 10 appeals, relating to 13 persons, (against 15 appeals of 29 persons) pending at the end of the year. In the Sessions Courts the number of appeals pending at the beginning of the year was 55; the number received during the year was 485; the number disposed of was 480; and the number left pending was 60. The appellate work of the Sessions Judges continued as usual to be very heavy. In the Bangalore Sessions Court 253 appeals were filed in the year, and 26 were pending at the beginning of the year; 266 appeals were disposed of (against 234) and 13 only were left pending. In the Mysore Sessions Court 157 appeals were received, and 28 were pending at the beginning of the year; 142 were disposed of (against 201) and 43 were left pending. In the Shimoga Sessions Court 75 appeals were received, and one was pending at the beginning of the year; 72 were disposed and four left pending. Appellate work was satisfactorily up-to-date except in the Mysore Sessions Court, where the Sessions Judge with less to do than in the previous year allowed it to fall into arrears. The details are given in the Statement below:—

Courts	For disposal		Disposed of		Pending	
	Cases	Persons	Cases	Persons	Cases	Persons
SESSIONS COURTS.						
Bangalore Division ...	279	379	266	365	13	14
Mysore do ...	185	264	142	193	43	71
Shimoga do ...	76	95	72	86	4	9
Total ...	540	738	480	644	60	94
DISTRICT MAGISTRATES AND OTHER MAGISTRATES.						
Bangalore District ...	30	63	28	61	2	2
Kolar do ...	40	61	38	59	2	2
Tumkur do ...	45	100	44	99	1	1
Mysore do ...	5	5	4	4	1	1
Mandya do ...	...	...	...	...	...	...
Hassan do ...	23	34	22	31	1	3
Shimoga do ...	51	88	51	88	...	...
Kadur do ...	9	16	7	13	2	3
Chitaldrug do ...	11	18	10	17	1	1
Total ...	214	385	204	372	10	13
Grand Total ...	754	1,123	684	1,016	70	107

(ii) *Average duration.*—The average duration of appeals disposed of by Sessions Judges was 36·04 against 41·1 days in the previous year. In the Bangalore Sessions Court the average was 19·54 days (against 16·2 in 1938-39, 36·4 in 1937-38 and 125·5 in 1936-37). In the Mysore Sessions Court it was 75·8 days (against 75·8 in the previous year); and in the Shimoga Sessions Court it was 18·6 days.

(against 20·12 days). The average duration of appeals disposed of in the Magistrates' Courts was 31·26 days (against 30·3 days in the previous year and 30·9 days in 1937-38). Except in the Mysore Sessions Court these figures may be regarded as satisfactory.

15. Revision.

(Vide Statement No. 6 and Special Statement No. 2.)

(i) The number of Revision Petitions pending before Sessions Judges and District Magistrates at the beginning of the year was 14 and 17, respectively. The number received during the year was 206 (88 in Sessions Courts and 118 in District Magistrates' Courts). Out of 237 petitions, relating to 615 persons, for disposal 82, relating to 245 persons, were disposed of by Sessions Judges, and 127, relating to 325 persons, by the District Magistrates. The number of petitions pending at the end of the year in Sessions Courts was 20, relating to 31 persons, (against 14 relating to 63 persons at the end of the previous year) and in the District Magistrates' Courts 8, relating to 14 persons (against 17 relating to 53 persons).

(ii) *Average duration.*—The average duration of revision Petitions disposed of by Sessions Judges was 74·18 days, while in the District Magistrates' Courts it was 42·17 days (against 84·8 and 60·3, respectively in the previous year). The average duration in the Bangalore Sessions Court was 54·5 days; in the Mysore Sessions Court it was 125·6 days; and in the Shimoga Sessions Court it was only 24·6 days. The Mysore Sessions Judge in several instances, unfortunately wasted time which he could not spare from other work, on cases in which he might have referred the petitioners at once to the High Court, as he could not dispose of their cases.

16. Punishments.

(Vide Statement No. 5.)

Four persons were sentenced to death by Sessions Judges against two in the previous year, and 29 persons (against 20 in the previous year) were sentenced to transportation for life.

Of 3,167 persons imprisoned (against 2,087 in the previous year) 2,603 or 82·19 per cent (against 1,858 or 89·1 per cent) were sentenced to imprisonment for six months and under, and 564 or 17·8 per cent (against 229 or 10·9 per cent) for longer periods.

The number of persons fined was 24,498 against 21,878 in the previous year. The total amounts of fines imposed and realised were respectively Rs. 2,47,748-9-4 and Rs. 64,896-6-8 (against Rs. 86,071-8-9 and Rs. 60,612-10-1 in the previous year). The amount of compensation paid was Rs. 988-8-6 against Rs. 1,507-0-0 in 1938-39.

PART III.

1. Records.

The statement given below shows the number of case-records received and dealt with during the year in the District Record Rooms.

District	Number of records received during the year	Number of time expired Records destroyed during the year	Remarks
Bangalore	9,441	52,118	8,054 records sorted for destruction.
Kolar	4,017	13,339	
Tumkur	994	...	
Mysore	9,592	6,005	Newly formed from 1st July 1939.
Mandya	3,019	...	
Hassan	2,919	3,046	3,371 records sorted for destruction.
Shimoga	2,369	...	
Kadur	346	784	
Chitaldrug	1,517	1,610	
Total	34,214	76,902	

A large number of records were destroyed in the Bangalore and Kolar Districts. In the Tumkur District, where a temporary additional clerk was employed for six months, a large number were sorted for destruction but not destroyed. In Shimoga it was found on inspection that a special staff was required to deal with criminal records, and a record-keeper and a daftarbund have been appointed temporarily; but in the year no destruction work was done.

2. Verification of Stock.

All the District Magistrates report that the Stock Registers have been properly maintained in their Courts and also in the Courts subordinate to them and that no deficiency nor excess was noticed on inspection.

3. Inspections.

The District Magistrates inspected all the subordinate Criminal Courts in their Districts except the Court of the Bench of Honorary Magistrates at Magadi (established from 1st March 1940) in the Bangalore District and the Court of the Amildar-Magistrate of Srinivasapur in the Kolar District. The Judges of the High Court inspected all the Sessions Courts and 19 Magistrates' Courts (8 District Magistrates' Courts and 11 Special Magistrates' Courts) during the year. The notes of inspection submitted to the High Court by District Magistrates were scrutinised and directions were given when necessary.

4. Rented Building.

The following Courts were accommodated in rented buildings.

			<i>Monthly rent.</i>
1.	Special First Class Magistrate's Court, Tiptur	...	30
2.	Do do Nanjangud	...	40
3.	First Magistrate's Court, Shimoga	...	75
4.	Special First Class Magistrate's Court, Sagar	...	30
5.	Do do Davangere	...	35

Public Prosecutors.

A Public Prosecutor was appointed for each District from 1st June 1940 to attend to the Sessions Cases, Criminal Appeals, etc., arising in the District, the work of the Public Prosecutors of Bangalore, Mysore and Shimoga being limited to those districts, respectively, from that date.

T. SHAMIENGAR,

Registrar.

STATEMENT "A"—Statement showing the result of Heinous Offences in the Mysore State during the year 1939-40.

Year	Districts	Giving false evidence		Murder		Culpable homicide not amounting to murder		Grievous hurt		Rape		Theft		Cattle Theft		Robbery		Dacoity		Receiving stolen property		Remarks
		Cases	Persons	Cases	Persons	Cases	Persons	Cases	Persons	Cases	Persons	Cases	Persons	Cases	Persons	Cases	Persons	Cases	Persons	Cases	Persons	
1938-39	...	6	6	4	4	...	...	32	59	...	...	311	373	...	...	1	2	...	...	...	...	
1939-40	Bangalore District	4	4	12	12	...	...	22	27	...	...	494	568	...	...	1	1	...	...	1	1	
1938-39	...	1	1	10	14	4	4	44	66	2	2	593	781	41	52	5	15	...	...	7	7	
1939-40	Kolar do	8	4	13	13	1	1	5	13	5	5	495	376	50	58	12	58	...	...	9	13	
1938-39	...	7	7	7	16	...	...	29	76	1	1	178	381	40	56	1	3	6	37	...	...	
1939-40	Tumkur do	4	4	...	...	3	3	3	8	...	...	93	159	28	34	2	2	...	...	...	...	
1938-39	...	9	9	11	60	5	5	184	568	1	1	417	763	10	17	5	19	1	5	6	6	
1939-40	Mysore do	5	5	15	82	2	2	86	221	2	2	346	501	14	21	10	38	...	...	7	8	
1938-39	...	...	...	7	10	1	1	186	499	1	1	240	357	21	36	2	10	...	...	1	7	
1939-40	Hassan do	7	7	8	17	1	1	204	491	1	1	237	455	15	24	...	...	...	...	10	15	
1938-39	...	2	3	1	1	...	...	3	4	...	...	76	101	6	6	2	4	...	...	...	...	
1939-40	Shimoga do	5	5	6	9	...	...	10	19	...	...	100	129	10	10	1	1	4	...	...	...	
1938-39	...	6	7	4	4	...	...	12	38	...	...	133	300	...	...	9	51	...	...	2	8	
1939-40	Kadur do	6	6	6	13	...	...	8	33	...	...	129	265	...	...	15	102	...	...	...	...	
1938-39	...	...	...	2	2	...	...	11	21	...	...	32	42	...	...	...	...	...	...	3	3	
1939-40	Chitaldrug do	...	...	...	...	...	...	10	20	...	...	48	67	...	...	...	...	...	...	5	7	
1938-39	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
1939-40	Mandya do	...	...	...	...	2	2	11	21	...	...	45	58	4	4	...	...	...	...	...	...	
1938-39	...	31	33	46	111	10	10	501	1,331	5	5	1,910	3,068	118	167	25	104	7	42	19	26	
1939-40	Total	34	35	60	146	9	9	339	853	8	8	1,937	2,598	121	151	41	202	1	4	32	41	

STATEMENT "B"—Statement showing the Original Regular Work in the Courts of the District Magistrates, Stipendiary Magistrates and Benches of Honorary Magistrates during the year 1939-40.

Districts	District Magistrates			Stipendiary Magistrates			Benches of Honorary Magistrates			Remarks
	For disposal	Disposed of	Pending	For disposal	Disposed of	Pending	For disposal	Disposed of	Pending	
1	2	3	4	5	6	7	8	9	10	11
Bangalore	6	6	...	10,675	9,938	737	680	533	87	
Kolar	22	22	...	2,954	2,802	152	392	371	21	
Tumkur	22	6	...	2,064	1,899	165	142	188	4	
Mysore	22	2	...	3,432	3,092	370	...	...	...	
Mandya	5	5	...	2,202	2,091	111	...	...	...	
Hassan	1	1	...	1,087	965	122	1,427	1,291	136	
Shimoga	2	2	...	2,644	2,325	319	...	...	...	
Kadur	2	2	...	1,108	916	192	203	197	6	
Chitaldrug	4	4	...	1,571	1,490	81	...	...	...	
Total	31	31	...	32,767	30,518	2,249	2,844	2,590	254	

JUDICIAL STATEMENT No. I—(Criminal).

Statement showing the number of Judicial Divisions and the number of officers exercising Appellate or Original Jurisdiction in the Mysore State on the last day of the year 1939-40, with cost of tribunals.

Name of Division	Area	Population	Number of Divisions for Courts under High Court, but superior to Chief Courts of Districts	Number of Districts	Number of Sub-Districts	Total number of officers exercising Original or Appellate Jurisdiction					Total number of cases decided				Total Receipts of the Courts	Total Charges of the Courts	Remarks
						Judges of High Court	Judges of other Courts superior to Chief District Courts	Judges of Chief Courts of Districts	Judges of District Courts other than the High Court	Judges of other Subordinate Courts	Originals		Appeals				
											Regular	Miscellaneous	Regular	Miscellaneous			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Bangalore Division ...	...	...	1	3	...	...	2	3	...	30	15,824	568	376	54	Rs. a. p. 45,619 1 11	Rs. a. p. 95,100 7 10	
Mysore Division ...	...	...	1	3	...	...	1	3	...	18	12,486	316	168	10	25,586 10 5	64,412 10 4	
Shimoga Division ...	...	...	1	3	...	...	2	3	...	10	4,974	208	140	14	20,739 5 2	42,863 11 3	
High Court ...	...	...	...	...	...	6	...	...	...	...	...	...	75	592	...	...	
Total ...	29,312 sq. miles.	64,23,189	3	9	...	6	5	9	...	58	33,284	1,092	759	670	91,945 1 6	2,02,376 13 5	

ANNUAL JUDICIAL STATEMENT No. 2--(Criminal).

Statement of offences reported and persons tried, convicted and acquitted of each class of offences in the Mysore State in the year 1939-40.

Description of offences	Number of offences reported	Number of cases returned as true	Number of cases brought to trial during the year	Number of persons					Dealt with under Section 562, Cr. P. C.	Remaining under trial	Remarks.
				Under trial during the year including pending from previous year	Acquitted or discharged	Convicted	Died, escaped or transferred to another province	Struck off under C. L. 144			
1	2	3	4	5	6	7	8	9	10	11	12
Offences against the State, Chapter VI of the Indian Penal Code	47	47	49	193-2	51	72-2	2	...	...	7	
Do relating to the Army and Navy Chapter VII	...	...	...	...	...	...	...	...	...	...	
Do against the public tranquillity do VIII	560	554	564	3,861-10	1,791	1,283-10	6	...	68	713	
Do by or relating to public servants do IX	18	17	20	46	39	3	...	3	...	1	
Contempts of the lawful authority of public servants do X	178	178	178	293	70	169	...	13	...	41	
False evidence and offences against public justice do XI	163	146	151	301-1	52-1	209	2	4	13	21	
Offences relating to coin and Government stamps do XII	6	6	6	12-4	4	...	...	...	...	8-4	
Do relating to weights and measures do XIII	74	74	74	76	15	67	...	1	...	3	
Do affecting the public health, safety, convenience, decency and morals do XIV	14	14	14	16	2	10	...	...	...	4	
Do relating to religion do XV	5	4	5	11	10	1	...	...	...	...	
Offences affecting life	280	222	223	504-251	223-180	79-45	4	7	13	178-76	
Causing miscarriage, injuries to unborn children, exposure of infants and the concealment of births	29	24	28	39	17	5	1	...	5	11	
Hurt	1,622	1,572	1,630	4,469-44	3,440-19	239-9	23-1	2	10	755-15	
Offences affecting the human body, Chapter XVI.	215	202	205	641	476	29	2	1	...	133	
Wrongful restraint and wrongful confinement	1,421	1,365	1,407	3,686-11	3,001	181	24	7	11	512-11	
Criminal force and assault	...	...	...	...	...	...	...	...	...	...	
Kidnapping, forcible abduction, slavery and forced labour	78	63	63	189-21	94-12	27-6	2	7	...	59-3	
Rape	12	12	13	18-5	9-2	4-3	...	...	...	...	
Unnatural offences	...	...	...	...	...	...	...	...	...	...	
Theft	3,522	3,080	3,145	5,628-63	2,434-32	1,767-23	66-1	26	359	976-7	
Extortion	16	18	18	94	63	...	1	...	1	29	
Robbery and dacoity	98	84	66	421-78	304-57	25-15	52	...	1	39-6	
Criminal misappropriation of property	9	6	9	23	11	4	3	...	...	5	
Offences against property, Chapter XVII.	490	469	496	564-4	204-2	182-2	22	33	13	110	
Criminal breach of trust	38	33	33	41	6	...	...	...	1	12	
Receiving of stolen property	190	179	181	389	191	70	4	2	6	66	
Cheating	6	6	6	15	10	2	...	...	...	3	
Fraudulent deeds and disposition of property.	184	169	181	499-5	348-4	24-1	3	...	5	119	
Mischief	1,038	903	920	2,623	1,614	469	57	3	37	443	
Criminal trespass	...	...	...	...	...	...	...	...	...	...	
Offences relating to documents and to trade or property marks Chapter XVIII	23	22	24	50-5	26-2	7-2	...	...	...	17-1	
Criminal breach of contracts of service do XIX	4	4	5	8	5	...	3	...	...	...	
Offences relating to marriage do XX	36	36	36	74	60	3	...	...	...	11	
Defamation do XXI	131	127	134	390	245	16	28	...	...	101	
Criminal intimidation, insult and annoyance do XXII	622	600	608	1,523	1,246	91	14	2	...	170	
Offences under special and local laws	25,156	25,008	25,038	27,801-2	3,595	22,643	68	293	24	1,178-2	
Grand Total	36,230	35,244	36,550	54,383-506	19,656-261	27,643-118	387-2	405	567	5,725-125	

The figures indicated by--sign relate to Sessions Courts and they have been included in the totals.

Special Statement relating to Special and Local Laws for 1939-40.

Special and Local Laws		No. of offences reported	No. returned as true	No. of cases brought to trial	Persons				Struck off	Pending
					Under trial during the year	Acquitted or discharged	Convicted	Died, etc.		
1.	Offences under the Motor Vehicles Act	2,640	2,640	2,647	2,992	859	2,044	...	5	176
2.	Do Police Act	12,287	12,204	12,209	13,808	695	12,768	26	9	225
3.	Do Excise Act	499	499	501	571	85	488	...	...	48
4.	Do Forest Act	222	180	182	239	158	59	1	...	26
5.	Do Explosives Act	25	25	25	27	6	17	...	...	8
6.	Do Arms do	207	205	206	207	81	149	2	1	22
7.	Do Criminal Tribes Act	142	136	137	145	21	99	2	...	11
8.	Do Municipal Act	3,638	3,638	3,639	8,690	1,532	1,706	3	...	546
9.	Do Railways Act	94	93	93	100	15	79	...	...	6
10.	Do Village Panchayat Act	166	166	167	185	80	188	5	...	17
11.	Do Public Conveyance Act	902	902	902	902	20	804	...	...	18
12.	Do Village Police Rules	1,208	1,201	1,203	1,266	91	1,146	...	...	28
13.	Do Cattle Trespass Act	48	48	48	91	70	18	1	...	2
14.	Do Mysore Road Traffic and Motor Taxes Act.	1,152	1,145	1,152	1,449	237	1,010	20	1	124
15.	Offences under the Sanitary Board Bye-laws	156	156	156	156	9	144	...	...	8
16.	Do Juvenile Smoking Act	5	5	5	5	14	5	...	...	...
17.	Do Game and Fish Preservation Act.	18	18	18	22	14	8	...	...	...
18.	Offences under the Prevention of Cruelty to Animals.	1,178	1,178	1,178	1,186	18	1,170	...	...	2
19.	Offences under the Defence of India Act	22	22	22	25	1	19	...	...	5
20.	Do Insolvency Act	1	1	1	1	...	1	...	...	...
21.	Do Petroleum Act	5	5	5	5	...	4	...	...	1
22.	Do Mines Act	41	41	41	59	8	89	...	6	8
23.	Do Indian Post Office Act	8	8	8	8	1	9	...	...	4
24.	Do Weights and Measures Act...	108	108	109	109	2	102	...	...	4
25.	Do Irrigation Act	121	121	121	177	125	24	1	...	27
26.	Do Companies Act	2	2	2	4	...	...	...	...	4
27.	Do Factories Act	12	12	12	15	5	6	...	...	4
28.	Do Opium Act	1	1	1	1	...	1	...	...	...
29.	Do Prevention of Adulteration.	207	207	207	209	24	148	1	...	36
30.	Do Destructive Pest Act	10	10	10	10	7	2	...	...	1
31.	Do Treasure and Trove Act	3	8	3	8	1	...	...	...	...
32.	Do Mysore Wireless Telegraphy Act.	4	4	4	4	...	2	...	...	2
33.	Offences under the Hotel Bye-laws	1	1	1	1	...	1	...	...	...
34.	Do Foreigners Act	2	2	2	8	1	2	...	...	...
35.	Do District Boards Act	1	1	1	2	2	...	...	...	...
36.	Do Compulsory Vaccination Rules.	26	26	26	29	25	4	...	...	...
37.	Offences under the Extradition Act	2	2	2	5	...	...	5	...	...
38.	Do Newspaper Act	1	1	1	1	...	1	...	...	...
39.	Do Epidemic Act	15	15	15	15	15	...	...	...	...
40.	Do Public Security	21	21	21	71	8	41	...	...	27
41.	Do Cattle diseases Act	10	10	10	10	...	10	...	...	...
Total		25,156	25,008	25,038	27,799	3,695	22,843	68	24	1,176

ANNUAL JUDICIAL STATEMENT No. 3—(Criminal)

Statement of miscellaneous Proceedings under the Code of Criminal Procedure in the Mysore State during the year 1939-40.

Nature of Proceedings	Total number of cases before the Courts during the year	Number of persons concerned	Number of persons discharged	Number of persons convicted	Pending	Remarks
1	2	3	4	5	6	7
1. Frivolous or vexatious complaints dealt with under Chapter XX, Section 250	24	26	6	20	...	
2. Proceedings against witnesses under Chapter IV (c) and Section 485	26	29	29	...	...	
3. Forfeiture of bail or recognizance under Chapter XLIII	133	253	129	124	...	
4. Non-attendance of Jurors or Assessors, Chapter XXIII	30	81	14	17	...	
5. Contempt of Courts under Chapter XXXV	8	8	2	1	...	
6. Proceedings under chapter VIII to prevent breach of the peace	78	447	192	63	192	
7. Security for good behaviour under Chapter, VIII	110	130	41	67	22	
8. Proceedings against local nuisances, Chapter XX	43	55	25	53	7	
9. Possession, Chapter XII	266	955	549	146	260	
10. Maintenance, " XXXVI	89	97	60	23	14	
11. Proceedings under Lunacy Act	163	168	13	153	2	
12. Proceedings under Section 528	170	167	104	63	...	
13. Proceedings under Sections, 516, 517, 518 and 528	5	13	6	7	...	
14. Bail applications (Sections 497 and 498)	9	9	1	8	...	
15. Proceedings under Railway Act	80	86	8	83	...	
16. Criminal Tribes Act	5	5	...	5	...	
17. Proceedings under Extradition Act	1	2	...	2	...	
18. Application against Notice of demand issued under Section 86 of the Mysore Municipal Act.	20	84	10	23	1	
19. Proceedings under the Mysore Security Act	5	6	2	4	...	
20. Proceedings under Section 563	1	1	...	1	...	
21. Do 476	2	2	2	...	...	
22. Proceedings under Land Acquisition Act	1	1	...	...	1	
23. Proceedings under Section 552	1	1	1	...	...	
*Total	1,215	2,501	1,189	813	449	
*This includes figures relating to the Courts of Sessions	77	195	95	100	...	

ANNUAL JUDICIAL STATEMENT No. 4—(Criminal).

Statement showing the General Result of Criminal Trial in the tribunals of various classes in the Mysore State during the year 1939-40.

Class of Courts	Total number of persons under trial	Persons whose cases were disposed of					Persons remaining under trial at the end of the year	Dealt with under Section 562, Cr. P. C.	Struck off	Number of cases disposed of during the year	Average number of days during which each case lasted	Number of witnesses examined	Remarks
		Died, escaped or transferred to another Province	Discharged or acquitted	Convicted		Committed or referred							
				On regular trial	On summary								
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Stipendiary Magistrates	49,825	337	17,720	8,083	17,348	421	5,024	504	888	80,518	87.7	51,903	
Benches of Magistrates	4,431	88	1,665	2,074	...	5	576	57	16	2,590	42.2	8,749	
Chief Magistrates of Districts	47	10	10	20	...	...	..	8	1	81	81.6	109	
Courts of Session	506	...	261	118	...	2	125	...	...	145	58.19	1,974	
Total	54,809	385	19,656	10,235	17,348	428	5,725	567	405	83,284	88.2	57,185	

ANNUAL JUDICIAL STATEMENT No. 5—(Criminal).

Statement showing the punishment inflicted by the various Criminal Tribunals in the Mysore State in the year 1939-40.

Class of Tribunal	Persons sentenced to								Persons ordered to be fined or give security or recognizance to keep the peace or sureties for good behaviour	Persons imprisoned in default of security for good behaviour	Details of Punishment																	Number of boys whose sentences were commuted to detention in a Reformatory School	
	Death	Transportation	Penal servitude	Imprisonment		Forfeiture of property	Fine	Whipping			Fine						Imprisonment				Whipped								
				Rigorous	Simple						Rs. 10 and under	Rs. 50 and under	Rs. 100 and under	Rs. 500 and under	Rs. 1,000 and under	Above Rs. 1,000	Total amount of fine imposed during the year	Total amount of fine realized during the year*	Amount paid by way of compensation	15 days and under	6 months and under	2 years and under	7 years and under	Above 7 years	10 stripes and under	20 stripes and under	30 stripes and under		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	
Special Magistrates	...	...	...	2,731	194	...	22,531	78	146	16	19,114	2,746	453	181	27	10	Rs. a p. 2,42,653 12 4	Rs. a p. 62,998 14 2	Rs. a p. 988 8 6	452	1,005	478	...	...	89	4	...	...	
Bench Magistrates	...	...	...	107	40	...	1,933	...	...	...	1,925	6	2	...	...	...	1,759 18 0	1,550 8 6		112	85	...	...	...	...	...	...	...	
District Magistrates	...	...	...	14	1	...	12	...	...	...	1	3	1	7	...	...	1,760 0 0	172 0 0		1	4	10	...	...	...	...	...	...	
Sessions Courts	...	4	29	...	80	...	22	...	...	...	...	1	8	3	10	...	1,575 0 0	175 0 0		...	4	12	61	...	...	...	...	...	
Total	...	4	29	...	2,932	235	...	24,498	78	146	16	21,040	2,756	464	191	37	10	2,47,748 9 4	61,890 6 8	988 8 6	565	2,038	500	84	...	60	4	...	128†

*Includes fines realised during the year though imposed in previous year.

†Includes persons imprisoned and fined

ANNUAL JUDICIAL STATEMENT No. 6—(Criminal).

Statement showing the Result of Appeal and Revision in Criminal Cases in the Mysore State in the year 1939-40.

Tribunals	Number of persons											Average number of days during which each appeal lasted	Remarks
	Total number of appellants and applicants for revision before the Courts	Died, escaped, or transferred to another Province	Appeals or applications rejected	Sentence or order confirmed	Sentence enhanced	Sentence reduced or otherwise altered	Sentence reversed	Proceedings quashed	New trial or further enquiry ordered	Referred for revision to the High Court	Pending trial		
1	2	3	4	5	6	7	8	9	10	11	12	13	14
APPEALS.													
To Chief Magistrates of Districts ...	385	...	17	177	...	40	126	5	6	1	13	31'26	
To Courts of Sessions ...	738	...	1	405	...	73	156	...	6	3	94	36'04	
By persons convicted ...	97	...	...	60	...	11	26	...	...	...	...	} 28'4	
To High Court. By Government from order of acquittal. ...	2	...	...	2	...	...	...	...	...	...	...		
Total ...	1,222	...	18	644	...	124	308	5	12	4	107	...	
REVISION.													
By Chief Magistrates of Districts ...	339	...	86	139	...	1	5	4	74	16	14	42'17	
By Courts of Sessions ...	276	...	...	176	...	1	8	...	39	21	31	74'18	
By High Court ...	820	...	327	164	...	57	201	1	48	...	22	...	
Total ...	1,435	...	413	479	...	59	214	5	161	37	67	...	

ANNUAL JUDICIAL STATEMENT No. 13--(Criminal).

Statement showing the use of Jurors and Assessors in the Civil and Criminal Courts in the Mysore State in the year 1939-40.

Class of Courts in which Jurors or Assessors were employed, distin- guishing Civil from Criminal Courts	Established or average number of Jury or Assessors in each case and prescribed qualifications	Number of cases tried by Jury	Number of cases tried with the aid of Assessors	Jury trials					Assessors trials				Remarks
				Cases in which the Judge approved of the verdict	Cases in which the Judge did not approve of the verdict		Number of persons of the verdict in respect of whom the Judge disapproved		Number of cases in which the Judge agreed with the Assessors	Number of cases in which Judge differed from			
					Wholly	Partly	Whose cases he referred under Section 307, C. Cr. P.	Whose cases he did not refer under Section 307, C. Cr. P.		One Assessor	Two Assessors	All Assessors	
1	2	3	4	5	6	7	8	9	10	11	12	13	14
COURTS OF SESSIONS.													
Bangalore Division.—													
Sessions Court	Assessors	3	...	...	...	...	...	...	...	...	...	...	...
Additional Sessions Court	Jurors	5	7	41	6	1	...	...	18	13	8	2	...
Assistant Do	...	...	...	...	...	...	...	...	...	...	...	...	...
Mysore Division.—													
Sessions Court	...	...	...	...	...	...	...	...	...	...	...	...	...
Assistant Sessions Court	Assessors	3	10	23	10	...	...	...	21	...	...	2	...
Additional Asst. Sessions Court	Jurors	7	...	...	...	...	...	...	...	...	...	...	...
Shimoga Division.—													
Sessions Court	Assessors	3	5	24	4	1	...	...	14	6	...	4	...
Assistant Sessions Court	Jurors	5	...	...	...	...	...	...	...	...	...	...	...
	Total	22	88	20	...	2	...	...	53	19	8	8	

SPECIAL STATEMENT No. 1.

Statement showing the institution and disposal of possession cases, etc., in the State of Mysore during the year 1939-40.

Serial No.	Kinds of cases	Number pending at the beginning of the year	No. of cases instituted during the year			Disposed of	Pending at the end of the year	Average duration	Remarks
			By private parties	By police	Total for disposal				
1	2	3	4	5	6	7	8	9	10
1	Possession cases ...	87	120	59	266	206	60	135'5	
2	Security cases (Breach of Peace).	10	29	34	73	52	21	93'9	
3	Security cases (Good behaviour).	10	...	100	110	95	15	44'5	
	Total ...	107	149	193	449	353	96	104'9	

SPECIAL STATEMENT No. 2.

Statement showing the institutions and disposal of Revision Cases in the Province of Mysore, during the year 1939-40.

Name of the Court	No. of cases pending at the beginning of the year	No. of cases instituted during the year	Total for disposal	Disposed of during the year	Average duration	Pending at the end of the year	Remarks
1	2	3	4	5	6	7	8
COURTS OF SESSIONS.							
Bangalore Division ...	6	38	44	40	54'5	4	
Mysore do ...	7	36	43	28	126'7	15	
Shimoga do ...	1	14	15	14	24'6	1	
Total ...	14	88	102	82	74'18	20	
DISTRICT MAGISTRATES.							
Bangalore ...	2	15	17	17	27'9	...	
Kolar ...	3	20	23	22	53'5	1	
Tumkur ...	3	27	30	28	38'0	2	
Mysore ...	3	11	14	14	31'0	...	
Mandya ...	...	7	7	6	39'5	1	
Hassan ...	1	23	24	21	29'1	3	
Shimoga ...	...	6	6	6	30'8	...	
Kadur ...	2	4	6	6	53'0	...	
Chitaldrug ...	3	5	8	7	36'5	1	
Total ...	17	118	135	127	42'17	8	
Grand Total ...	31	206	237	209	54'6	28	

Statement showing the number of Juvenile Offenders brought before the Courts, and how they were dealt with in the
State of Mysore during the year 1939-40.

Names of Courts	Number brought before the Courts	Number convicted	How they were dealt with				Discharged or acquitted	Remarks
			Fined	Imprisoned	Dealt with under Section 562, Cr. P. C.	Whipped		
1	2	3	4	5	6	7	8	9
Sessions Court, Bangalore ...	1	*1	...	...	...	...	...	*Sentenced to trans- portation for life.
Do Mysore ...	...	...	...	...	...	...	...	
Do Shimoga ...	...	...	...	...	...	...	...	
Total ...	1	1	...	...	...	...	...	
Districts—Bangalore ...	118	99	4	57	38	...	19	
Kolar ...	48	47	7	8	10	22	1	
Tumkur ...	15	10	3	3	4	...	5	
Mysore ...	113	96	37	18	24	17	17	
Mandya ...	9	9	1	1	6	1	...	
Hassan ...	3	2	...	...	...	2	1	
Shimoga ...	36	28	12	2	14	...	18	
Kadur ...	15	11	2	...	9	...	4	
Chitaldrug ...	...	...	...	...	...	...	...	
Total ...	357	302	66	89	105	42	56	